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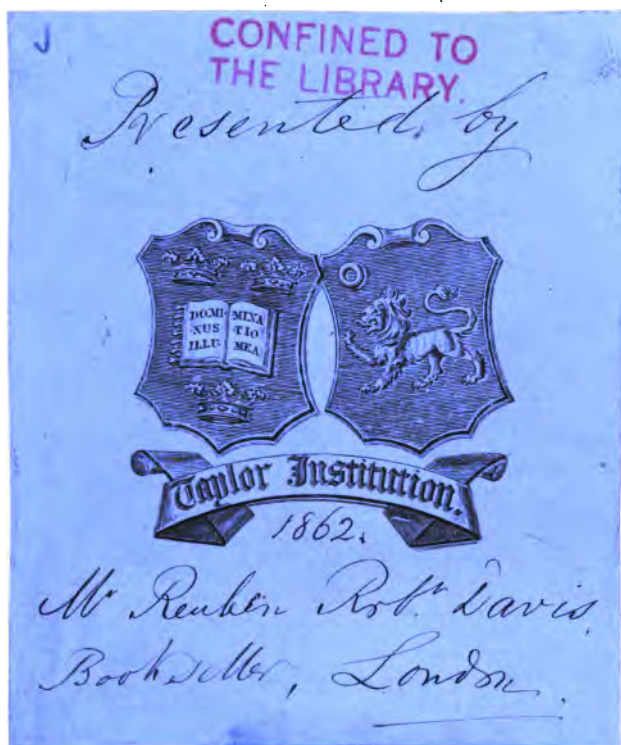
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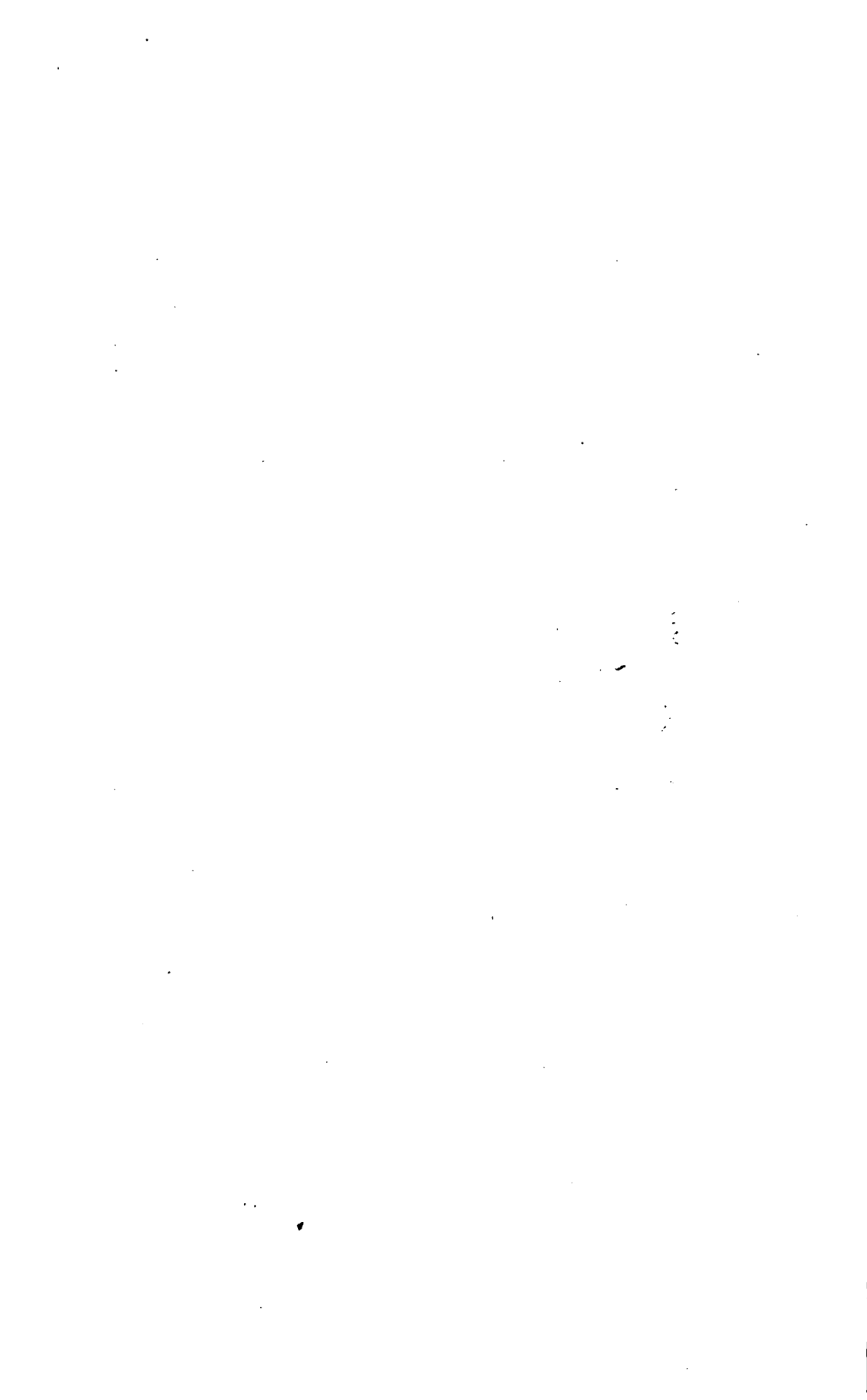


Vet. Span III B. 359



SPECIMEN.

THE LAWS OF SPAIN.



SPECIMEN

OF A

Catalogue

OF

THE BOOKS ON FOREIGN LAW

LATELY PRESENTED BY

CHARLES PURTON COOPER, ESQ.

TO

THE SOCIETY OF LINCOLN'S INN.

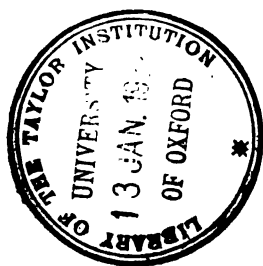


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1847.



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It is thought expedient to lay before the Benchers this Specimen of the Catalogue of the Books presented by Mr. Cooper to the Honourable Society in 1843, in order that the plan of it may be modified or changed, should it not be so fortunate as to meet with their approbation.

The design of the donor (which it is understood to be the intention of the Society to carry out at a fit opportunity) was to collect, besides the books on the Roman Law—a most numerous class—the Codes and Bodies of Law of the European Nations, with two or three exceptions—Scotland being one—and of the United States of America, together with the best Commentaries and Treatises.

This design was abandoned in 1831, when Mr. Cooper was appointed Secretary to the late Record Board, and the subsequent acquisitions are few ; but he has furnished the Compiler of this Catalogue with sufficient information for ascertaining the books, which he then proposed to add to the Collection. The titles of all the works collected, and proposed to be collected, will, therefore, should the Compiler not be instructed to make any alteration in that respect, be found in this Catalogue ; which will thus, it is hoped, furnish useful bibliographical information respecting the Roman Law, and the Laws and Jurisprudence, antient and modern, of nearly all the Nations of Europe, and of the United States of America.

F. W. H.

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ON THE LAWS OF SPAIN.

THE Wisigoths, a branch of the great nation of the Goths, under the command of Euric their ninth king, made the conquest of Spain in the year 477. He was the first of their kings who, according to the common opinion of the best writers, reduced the customary laws of the Wisigoths into writing; and he has accordingly the reputation of being the first compiler of the earliest code of the laws of Spain, called in Latin "Forum Judicum," and generally known in Spain by the name of the Forum Judi-
"Fuero Juzgo," or "Libro de los Jueces:" the elder titles of this collection are "Codex Legum," "Liber Legum," "Liber Gothorum," and "Liber Judicum." His son Alric II. and nearly all the succeeding monarchs of the Wisigoths, even down to Roderick, who fell in battle against the Moors on the 11th November, 712, amended, altered, revoked or added to this code or compilation till it was completed in the form in which we now have it. The earliest translation of this code that is known was made by order of Ferdinand III. King of Castile and Leon and other provinces of Spain, about the year 1248.

For the benefit and guidance of his subjects both of Gaul and Spain, who were generally called by the name of Romans (the Goths being governed by their own usages and laws), Alric caused the Theodosian Code to be published; and he also caused an abridgment of the Roman laws to be made by Anian or Anianus (supposed to be his chancellor or referendary), under the name of "Breviarium Alaricianum;" so that each nation was governed by its own laws. The same practice was adopted

by Clovis and his successors, and also by the Burgundians, in their conquests of Gaul. After the death of Alric II., who fell in battle against Clovis in 507, the kingdom of the Wisigoths was confined to Spain. The greatest reformers of this code of the Goths were Chindswind and his son Rechswind, who both lived in the middle of the seventh century: the former by a law directed that thenceforth all his subjects without distinction should be governed by this one body of laws, and by no other. This code in the course of time had admitted much of the Roman and Canon laws. Erwig, the last king but three of the Wisigoths, also made great alterations in these laws, in the sixteenth Council of Toledo. After the conquest of Spain by the Arabs in 712, these laws continued in force among such of the Spaniards as were confined to the northern parts, all the rest having been subdued by the Moors.

Fueros of provinces and towns.

In the space of time intervening between the conquest of Spain by the Moors and the beginning of the reign of Alfonso X., many provincial and municipal charters, privileges and laws, under the general name of "Fueros," were granted to various provinces and towns, the earliest of which appear to be that of Leon, 1020, and those of Naxera and Sepulveda, about the same date.

Sobrarbe.

Sotelo, in his "Historia del Derecho Real de España," b. 3, c. 1, mentions some laws enacted for the small kingdoms of the Pyrenees, called "Leyes de Sobrarbe:" these are sixteen in number, and are probably an epitome of the "Forum Judicum." He states them to be in MS. The progress of the nation requiring new laws, Ferdinand III. above mentioned, just before his death, projected a new code. His son Alfonso X. carried his father's intentions into effect, first, by compiling a code of

Fuero Real and Leyes del Estilo.

laws, to which the name of "Fuero Real" was applied, in 1255; secondly, by the compilation, in conjunction with his son Sancho, of the "Leyes del Estilo," which are additional to, and declaratory and explanatory of, the Fuero Real, and which also relate to the style or practice of the Courts; and thirdly, by the compilation of his best known work, the "Laws of the Partidas," or, as they are often called, the "Siete Partidas:" the latter work was compiled between the years 1256 and 1264, as

Partidas.

the king himself informs us. He died in 1284. Mention is made by authors of a collection of laws by King Alfonso X., called the "Setenario;" these are the same as the "Partidas."

Marina, in his essay "Sobre la Antigua Legislacion de Castilla," p. 132, attributes to Alfonso a code called "Espejo" or "Especulo de Leyes," in eight books: but this is in MS.

After the compilation of these three works by Alfonso X., various laws and ordinances were published by various kings until the time of Ferdinand and Isabella (exclusively of the "Ordenamiento de Alcalá," a supplement to the laws, and published by Alonzo XI. in the Cortes at Alcalá de Henares in 1348; at which time were also published the "Partidas"): these laws and ordinances were collected by order of the Queen and King, and published by Montalvo in 1485. These latter are known under the several names of "Ordenances Reales," "Ordenamiento Nuevo" and "Ordenamiento Real."

Within twenty years from this period were published, in 1505, eighty-three laws, under the name of "Leyes de Toro."

In 1567 was published for the first time the collection of laws known by the name of the "Recopilacion" or "Nueva Recopilacion," and now by the name of the "Novisima Recopilacion." The last edition of this collection (1805—29, 6 vols. fol.) includes all the laws published since the laws of Toro, up to 1806. It includes the whole of the laws of "Toro," some of the "Fuero Real," a few of the "Fuero Juzgo," of the "Ordenamiento de Alcalá," and the first four Books of the "Ordenamiento Real,"—none of the "Partidas."

On Joseph Napoleon's assuming the reins of government in Spain, in 1808, the decrees, &c. made by him were collected into a body, and published in 3 vols. 8vo. (1808—11.)

After Ferdinand VII.'s restoration to the crown of Spain, a collection of his decrees was made in 1822 (4th May, 1814—31st December, 1819), and published in 6 vols. 8vo.

To complete the Collection of the General Laws of Spain, the Ordinances, &c., from the last edition of the "Recopilacion," in 1806 to 1808; the Acts of the General Juntas and the Cortes during the years 1808 to 1814; and the Ordinances and Acts of the Cortes during the years 1820, 1821, 1822, and part of

1823; the Ordinances and Decrees of Ferdinand from the middle of the year 1823 up to the time of his death in 1833; and the Ordinances and Decrees of the Queen Regent, and of the Cortes since Ferdinand's death till the present time, should be added.

The precedence, in point of authority, of these various collections of the laws of Spain is regulated by the laws 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12 of title 1, book 3, of the "Novísima Recopilacion."

In addition to these Collections of the General Laws of Spain, almost all the provinces (they had formerly the titles of kingdoms &c.) have their own peculiar laws, called "Fueros," by which they are chiefly governed. These provinces are Biscay, Guipuscoa, Alava, Navarre, Aragon, Castile, Leon, Catalonia, the former kingdom of the Balearic Isles, and Valencia. All these have been printed; and although inroads have been made on them by successive kings, they still retain their force and value. There are also numerous "Fueros" of provincial towns. There are also in Spain privileged classes who are or were governed by laws peculiar to themselves, which are also called "Fueros:" these are the clergy, the Inquisition, the Guards, manufacturers, couriers, &c. These latter "Fueros" may be found embodied or noticed in the "Novísima Recopilacion," books 2, 3, 6; and the privileges of the great body of Sheep and cattle owners, called the "Mesta," are noticed in the same collection, book 7.

In the notes at the bottom of pages 367, 368, 369, of Mr. Royer-Collard's edition of Mr. C. Purton Cooper's "Lettres sur la Cour de la Chancellerie d'Angleterre," are some remarks by Mr. Cooper on the principal Collections of the Spanish Laws, and on the Fueros of Aragon.

Authorities:—Sotelo, "Historia del Derecho Real de España;" Marina, "Sobra la Antigua Legislacion de Castilla;" Asso y Manuel, "Derecho Civil de Castilla;" "Histoire Générale de Languedoc;" "L'Art de vérifier les Dates;" &c.

SPAIN.

COLLECTIONS OF THE GENERAL LAWS.

FUERO JUZGO, EN LATIN Y CASTELLANO, cotejado con los mas antiguos y preciosos Codices por la Real Academia Española. Folio. Madrid. 1815.

This is the code of laws of the Wisigoths, who conquered Spain. The title in Latin is "Liber Judicum," and "Forum Judicum;" and in Spanish "Fuero Juzgo," or "Libro de los Jueces, that is, the "Book of Judges," or the "Book for the Judges," that is, for their guidance and instruction.

This compilation was begun under Euric, their ninth king, in an assembly of the Goths at Arles, about the year 483, and was continued by his successors, among whom (as the chief improvers of the code) may be reckoned Chindawind and his son Rechswind, and also Erwig, towards the end of the seventh century.

These laws are based on the Gothic customary laws and the Roman laws. Many of these laws were enacted and promulgated, and the others promulgated, in the councils of Toledo, beginning at the third and ending in the nineteenth: the original was in Latin.

This is the best edition of the Code. The collection consists of twelve Books, which are divided into Titulos and Laws: the total number of Laws is 592.

An introductory title or chapter, containing eighteen laws of the election of princes, and how they ought to judge justly, and of the punishment of those who judge unjustly. Compiled in the fourth [seventh] council of Toledo, consisting of sixty bishops, in the presence of King Sisnand, in the third year of his reign, and in the year of Christ 633.

Book the First.—Of Legal Instruments.—Tit. 1. Of the law maker; 2. Of the law.—This book contains fifteen laws.

Book the Second.—Of the Subject of Suits.—Tit. 1. Of the judges, and of the things adjudicated on; 2. Of the beginning of suits; 3. Of the demandant, and of the things demanded; 4. Of the witnesses, and their evidence; 5. Of deeds or writings, of such as are valid or not; and of putting into writing the known intentions of deceased persons [intestates].—This book contains eighty-two laws.

Book the Third.—Of Marriage Laws.—Tit. 1. Of the regulations concerning marriages; 2. Of unlawful marriages; 3. Of the ravishing of virgins and widows; 4. Of adultery; 5. Of incest, of religious apostasy, and of So-

domites; 6. Of divorces, and the dissolution of marriages.—This book contains fifty-eight laws.

Book the Fourth.—Of Lineage.—Tit. 1. Of degrees [of relationship]; 2. Of succession or inheritance; 3. Of orphans, minors, &c. and their guardians; 4. Of children exposed [i. e. deserted]; 5. Of property by descent, to whom it belongs.—This book contains thirty-nine laws.

Book the Fifth.—Of contracts, &c.—Tit. 1. Of church matters; 2. Of gifts or donations in general; 3. Of gifts by patrons; 4. Of exchanges and sales; 5. Of things given as security, and of things lent; 6. Of pledges and debts; 7. Of emancipation and freedmen.—This book contains seventy-six laws.

Book the Sixth.—Of Crimes and Punishments.—Tit. 1. Of accusers of crimes; 2. Of sorcerers, soothsayers, &c., and those who consult them, and of poisonings; 3. Of those who cause abortions, &c.; 4. Of wounding and maiming; 5. Of murder.—This book contains forty-three laws.

Book the Seventh.—Of Thefts and Cheats.—Tit. 1. Of the discovery of thefts; 2. Of thieves and thieving; 3. Of those who forcibly or by circumvention take away the slaves of others; 4. Of the custody and sentence of condemned criminals; 5. Of falsifiers of documents; 6. Of coiners, &c.—This book contains fifty-five laws.

Book the Eighth.—Of Violence, Wrongs and Injuries.—Tit. 1. Of assaults and acts of violence; 2. Of incendiary fires and incendiaries; 3. Of injuries done to trees, gardens and fruits; 4. Of injuries done to animals and respect of property; 5. Of the feeding of pigs, and of denunciations in respect of stray animals; 6. Of bees, and damages to them; and of bee stealing.—This book has seventy-two laws.

Book the Ninth.—Of Fugitive Slaves; and of those who leave the host or army without permission.—Tit. 1. Of fugitive slaves, and of those who conceal them, or favour their running away; 2. Of those who do not go to the rendezvous [of war], or absent themselves; 3. Of those who fly to churches for sanctuary.—This book contains thirty-two laws.

Book the Tenth.—Of the Division of Lands and Property; of Prescription of Fifty Years and Thirty Years; of Land-marks.—Tit. 1. Of divisions of property; and of lands let on lease; 2. Prescription of fifty and thirty years; 3. Of boundaries and land-marks.—This book has thirty-one laws.

Book the Eleventh.—Of the Sick and the Dead; and Foreign Merchants.—Tit. 1. Of physicians and the sick; 2. On disturbing tombs; 3. Of foreign merchants.—This book has fourteen laws.

Book the Twelfth.—Of the Removing of Oppressions, and the extinction of the Sects of Heretics.—Tit. 1. On moderating the severity of the laws, and putting an end to oppressions; 2. Of extinguishing the errors of all heretics and Jews; 3. Of the new laws relating to Jews, and how the old ones are confirmed, and new ones added.—This book has forty-nine laws.

To this twelfth book (in the Spanish translation) is added a chapter containing eight laws on slander, &c. The Latin part is put by itself, and the translation after. The volume contains an introduction and two glossaries.

EL FUERO REAL DE ESPAÑA, diligentemente hecho por el Noble Rey Don Alonzo 9: Glosado por el egregio Doctor Alonzo Diaz de Montalvo. Asimismo por un Sabio Doctor de la Universidad de Salamanca adicionado, y concordado con las Siete Partidas, y Leyes del Reyno: dando à cada ley la adicion que convenia. 2 vols. Fol. Madrid, 1781.

This code is divided into four books, and subdivided into titulos and laws. The additions mentioned in the title page are merely references to similar passages or laws in the Partidas, &c. The Latin comment of Montalvo, which was first published in 1500, at Venice, accompanies the text in this edition. Each volume has an Index.

Book the First.—A Prologue.—Tit. 1. Of the Holy Catholic Faith; 2 and 3.

Of the conservation of the king and his children; 4. Of those who are disobedient to the king's orders; 5. Of the conservation of the property of the church; 6. Of the laws, and their establishment; 7. Of the office of alcalde; 8. Of public notaries and scriveners; 9. Of advocates; 10. Of attorneys and proctors; 11. Of contracts; 12. Of things, the subjects of lawsuits.—This book contains seventy laws.

Book the Second.—Tit. 1. Before whom causes are to be tried; 2. Of the

mandates or decrees of the alcaldes; 3. Of the summons or citation; 4. Of the delivery of possession for non-appearance; 5. Of feasts or holydays; 6. Of the answers to demands in causes; 7. Of confessions or admissions; 8. Of evidence and proofs [two witnesses are required to prove]; 9. Of deeds and copies of deeds; 10. Of the defence to actions; 11. Of prescription; 12. Of oaths; 13. Of the execution of final judgments; 14. Suits which have been ended, and without appeal, not to be again the subject of controversy; 15. Of appeals—This book contains ninety-seven laws.

Book the Third.—Tit. 1. Of marriages; 2. Of jointures, &c.; 3. Of property

acquired by the husband and wife; 4. Of "labores" [agricultural works]; and divisions or partitions of inheritances; 5. Of testamentary dispositions, &c.; 6. Of inheritances; 7. Of the wardship or guardianship of orphans and their property; 8. Of maintenance of parents by children; 9. Of disinheritances; 10. Of sales and purchases; 11. Of exchanges and barter; 12. Of donations or gifts; 13. Of vassals, and of what their lords give them; 14. Of costs [of suits]; 15. Of things left with persons for safe keeping, &c. [cosas encomendadas]; 16. Of borrowing; 17. Of hiring; 18. Of sureties and bail; 19. Of pledges and guarantees; 20. Of debts and payments.—This book contains 190 laws.

Book the Fourth.—Tit. 1. Of those who leave the Catholic Faith; 2. Of Jews;

3. Of injuries, outrages, insults, &c.; 4. Of violence and wrongs; 5. Of pains and penalties; 6. Of those who stop up highways, "egidos" [public places for beating out corn] or rivers; 7. Of adultery; 8. Of those who have carnal connection with their parents or sisters-in-law; 9. Of those who leave their religious communities; and of Sodomites; 10. Of the abduction, ravishing and deceiving of women; 11. Of those who marry female slaves, and of those who marry male slaves; 12. Of forgers of deeds, &c., and of false documents or writings; 13. Of robberies, and of things

detained or concealed; 14. Of those who sell freemen or other men's slaves; 15. Of those who conceal other persons' slaves, or cause them to fly, or set them free; 16. Of physicians and surgeons; 17. Of homicides; 18. Of those who disinter the dead; 19. Of the king's tenants, who do not go to the host or army, or who leave it without permission; 20. Of accusations, &c. and who may make them; 21. Of charges of treason and offers to prove the same, and of challenges; 22. Of adopted children; 23. Of deserted children or foundlings, and of those who desert them; 24. Of pilgrims; 25. Of shipping.—This book contains 190 laws: the whole number is 547.

At the beginning of the second volume of this edition are twenty-eight other laws, by Alfonso, called "*Leyes Nuevas*:" these are followed by some cases and memoranda.

LEYES DEL ESTILO, y Declaraciones sobre las Leyes del Fuero.

These laws are additional to, and declaratory and explanatory of the *Fuero Real*, and also include the style or practice of the Courts. They were compiled by order of Alfonso X. and his son Sancho. They are 252 in number: there is an Index of them.

These laws are at the end of the first volume of the *Fuero Real*, of the Edition published at Madrid, in 2 vols. fol. 1781.

LAS SIETE PARTIDAS del Rey Don Alfonso el sabio, cotejadas con varios Codices antiguos por la Real Academia de la Historia. 3 vol. 4to. Madrid, 1807.

This collection of laws, the title of which is literally "The Seven Portions [or Divisions] of the Wise King Don Alonso IX.;" and in plainer language, "The Laws of King Alonso IX.," was completed in the year 1264.

There is a prologue, and an account of the codices used for this edition.

In his prologue Alphonso divides his collection into seven general headings, namely—

- | | |
|-------------------------|----------------------|
| 1. The Catholic Faith. | 5. Contracts, &c. |
| 2. Emperors, Kings, &c. | 6. Wills, &c. |
| 3. Justice. | 7. Criminal Law, &c. |
| 4. Marriage, &c. | |

The divisions of the work are as follows:—

1st Partida—Prologue.—Tit. 1. Which treats of the laws; 2. Of usages, customary law [and statute law]; 3. Of the Holy Trinity; 4. Of the Sacraments of Holy Church; 5. Of the prelates of Holy Church, who have to teach the faith and to administer the sacraments; 6. Of the clergy, and of the things which it behoves them to do, and of those things which are forbidden them; 7. Of the religious, or professed; 8. Of the vows and promises which men make [to God and the saints]; 9. Of excommunications, suspensions and interdicts; 10. Of churches, how they ought to be con-

structed; 11. Of the privileges and franchises belonging to churches and churchyards; 12. Of monasteries and the churches belonging to them, and of other houses of religion; 13. Of burials; 14. Of the property of the church, and what things ought not to be alienated [from it]; 15. Of the right of patronage; 16. Of the benefices of the clergy; 17. Of simony, into which men fall; 18. Of sacrilege; 19. Of first-fruits and offerings; 20. Of the tithes which Christians ought to give to God; 21. Of the glebe of the clergy; 22. Of visitation fees, &c.; 23. Of the keeping of feasts or holy-days, of fastings, and how alms ought to be given; 24. Of pilgrims and palmers.—This Partida contains 588 laws.

2nd Partida.—Prologue.—Tit. 1. Which treats of emperors, kings and other great lords; 2. What the king ought to be in knowing, loving and fearing God; 3. What the king ought to be individually [in himself]; and, first, as to his thoughts; 4. What the king ought to be in his words; 5. What the king ought to be in his operations; 6. What the king ought to be to his wife, and she to him; 7. What the king ought to be to his children, and they to him; 8. What the king ought to be to his other relations, and they to him; 9. What the king ought to be to his officers, and to those of his household and court, and they to him; 10. What the king ought to be in general with respect to his subjects; 11. What the king ought to be in respect of his dominions; 12. What the people ought to be in their knowledge, love and fear of God; 13. What the people ought to be in their knowledge, love, defence, honouring and serving of their king; 14. What the people ought to be in their conservation of the king, his wife and daughters and his other female relations, and the duennas, maids of honour, and other daily women of the queen's household; 15. What the people ought to be in their conservation of the king and his sons; 16. How the people ought to conserve the king's officers, his court, and those who have access to it; 17. What the people ought to be in the conservation of the king's moveable goods and lands, which belong to him for his maintenance; 18. What the people ought to be in building and defending the castles and fortresses of the king and kingdom; 19. What the people ought to be in defending the king from his enemies; 20. What the people ought to be in respect of the land of their birth; 21. Of knights, and of the things which it behoves them to do; 22. Of the chiefs, of the light predatory troops, and of the foot soldiers; 23. Of war by land; 24. Of war by sea; 25. Of compensations, in Spain called "Erechas;" 26. Of the share which the men ought to have of the gains of war; 27. Of rewards; 28. Of the punishments to be inflicted for their misdeeds on those who go to war; 29. Of prisoners, and of their property; 30. Of the ransomers of captives; 31. Of universities in which the different branches of knowledge are taught, and of the masters and scholars.—This Partida contains 363 laws.

3rd Partida.—Prologue.—Tit. 1. Of justice; 2. Of the demandant, and of the things which he has to inquire about; 3. Of the defendant, and of the things which he ought to inquire about; 4. Of the judges and their duties; 5. Of attornies and proctors; 6. Of advocates; 7. Of the summons; 8. Of the possession of goods given by the judge for non-appearance on summons; 9. When the thing in dispute ought to be committed to the custody of the public depositary; 10. How the proceedings ought

to begin by demand and answer; 11. Of the oaths which the parties make in the proceedings, after they have begun by demand and answer; 12. Of the questions which the judges may put to the parties at issue when the proceedings have begun by demand and answer, which are called, in Latin, "positiones;" 13. Of the admissions and answers, that the parties at issue make to the demands and questions which are made by reason of them; 14. Of the proofs and conjectures, which men produce on trial concerning things denied and doubtful; 15. Of the time appointed by the judges to the parties at issue to bring in their proofs; 16. Of the witnesses: 17. On examinations and examiners; 18. Of the records of the proceedings; 19. Of scriveners and notaries; 20. Of the *scals* and *scalers* of the Chancery; 21. Of counsellors; 22. Of final judgments; 23. Of appeals made by parties when they hold themselves aggrieved by the judgments given against them; 24. How judgments may be annulled and reviewed, when the king wishes to accord grace to any of the parties, although no appeal has been made from them; 25. How judgments may be overturned, when given against parties under twenty-five years of age, or against their guardians, although no appeal has been made; 26. How a judgment may be overturned which is given through false evidence, &c., or against the ordinary course of law, even when no appeal has been made; 27. How valid judgments ought to be executed; 28. Of the things in which a man can gain dominion or property; 29. Of prescription; 30. In how many ways a man may gain or lose possession and holding of property; 31. Of servitudes; 32. Of *new* agricultural labours or works [*labores*], how they may be prevented being constructed, &c.; and of the old which are falling, &c., how they are to be repaired, &c.; and of all other buildings, how they are to be repaired, &c.—This Partida contains 664 laws.

4th Partida.—Prologue.—Tit. 1. Of betrothment; 2. Of marriage; 3. Of espousals, and of clandestine marriages; 4. Of conditions made in respect of espousals and marriages; 5. Of the marriages of male slaves; 6. Of the relationship and kindred by affinity, whereby marriages are hindered; 7. Of compaternity and adoption, by which marriages are hindered; 8. Of men who cannot have connexion with women, nor women with them, by reason of some bodily impediment; 9. Of imputations or charges made to prevent marriages from taking place, or to dissolve them; 10. Of the dissolution of marriages; 11. Of dower, marriage donations and jointures; 12. Of those who marry again after the dissolution of the first marriage; 13. Of legitimate children; 14. Of other women, whom men keep, and who are not married; 15. Of illegitimate children; 16. Of adopted children; 17. Of the power which fathers have over their children, of whatever quality they be; 18. Of the reasons whereby the power of fathers over their children is taken away; 19. How fathers ought to bring up their children, and, moreover, how children ought to look to their fathers when they need them, [*quando les fuere meester*]; 20. Of [*criados*] persons brought up in a man's house, although they are not his children; 21. Of slaves; 22. Of liberty; 23. Of the state or condition of man; 24. Of the duty which men owe their lords by reason of birth; 25. Of vassals; 26. Of fiefs; 27. Of the duties which men owe to one another by reason of friendship.—This Partida contains 256 laws.

5th Partida.—Prologue.—Tit. 1. Of loans; 2. Of the borrowing, which is called in Latin “*commodatum*,” 3. Of deposits, in Latin called “*deposita*,” 4. Of donations or gifts; 5. Of sales and purchases; 6. Of exchanges; 7. Of merchants, and of fairs and markets in which merchandise is bought and sold, and of the toll and passage-money they have to pay by reason of them; 8. Of leases and rents; 9. Of ships, and of the “*pecio*” of them; 10. Of companies which merchants and other men form among themselves for gain; 11. Of engagements and agreements, &c. which men make with one another; 12. Of sureties, &c.; 13. Of pledges; 14. Of payments and of acquittances, &c. called in Latin “*compensatio*,” and of debts which are paid to those to whom they are owing; 15. How debtors have to give up their property, when they cannot pay what they owe and how the alienation, which debtors fraudulently make of their property, ought to be annulled.—This Partida has 374 laws.

6th Partida.—Prologue.—Tit. 1. Of wills; 2. How wills written without formality ought to be opened; How heirs ought to be appointed in wills; 4. Of the conditions which may be imposed, when heirs are appointed in wills; 5. How other heirs may be substituted in wills for those who were first appointed in them, which in Latin is called “*substitutio*,” 6. How heirs may have a limited time allowed them, to advise whether they shall take the inheritance to which they were appointed heirs, or not; and how the inventory ought to be made: moreover, how the wife ought to be kept and guarded after the death of her husband, when she says [*que finco prenada*] she is pregnant by him; 7. How and for what reasons a man may disinherit, by his will, him who ought to inherit his property: and, moreover, for what reason he may lose the inheritance who was appointed heir in it (the will), although the testator did not disinherit him; 8. How the will may be annulled by him who is wrongfully disinherited by it; which is called in Latin “*Querela inofficiosi testamenti*,” 9. Of legacies which men gave by their wills; 10. Of executors who have to discharge the legacies; 11. How legacies may be diminished, and how much; which in Latin is called “*Falcidia*,” or “*debitum bonorum Subsidium*,” or “*Trebellianum*,” 12. Of the writings which men make at their deaths, and which are called in Latin “*Codicilli*,” 13. Of the inheritances which men may gain by relationship, when the owners die without a will; 14. How the possession or seignior of the inheritance of the deceased ought to be delivered up to the heir, whether he demands it by reason of the will or of relationship; 15. How the inheritance ought to be divided among the heirs, when they have taken possession of it; and also how the inheritance ought to be marked out, when disputes arise on this account; 16. How orphans ought to be kept, and the property which they inherit after the death of their father; 17. For what reasons those who are chosen guardians of orphans may excuse themselves from being so; 18. Of the causes why orphans and their property ought to be taken from the hands of their guardians, by reason of suspicion which they may have against them; 19. How minors may be reintegrated if they have received any loss or deterioration of their property, either by their own fault or that of their guardians.—This Partida contains 272 laws.

7th Partida.—Prologue.—Tit. 1. Of charges or accusations of crimes, and of delations, and of the office of the judge who has to inquire into crimes; 2. Of treasons; 3. Of challenges for treasons; 4. Of battle [on account of such challenges]; 5. Of things which cause men to fall into discredit; 6. Of defamed persons; 7. Of falsehood, treachery, deception, &c.; 8. Of homicide; 9. Of slanders on the living or the dead; and of defamatory libels; 10. Of outrages, violence, &c.; 11. Of challenges, and of returns to friendship; 12. Of truces, pledges of security, and peace; 13. Of robberies; 14. Of thefts; and of slaves who run away, and of those who advise or compel them to do wrong; of changing land-marks; 15. Of wrongs or damage which men or beasts do to the property of others, of what kind soever they be; 16. Of deceptions, bad and good, and of barrators; 17. Of adultery; 18. Of connexion with female relations by blood, that is, incest; 19. Of those who have connexion with women who have professed religion, or with widows who live honestly in their houses, or with virgins, by allurements or deception, not doing them violence; 20. Of those who ravish or abduct with violence virgins, or women who have professed religion, or widows who live honestly; 21. Of those who commit the sin against nature; 22. Of panders or go betweens; 23. Of augurs, diviners, fortune-tellers, &c.; 24. Of Jews; 25. Of Moors; 26. Of heretics; 27. Of desperate men who commit suicide, or who murder others for gain; and of their property; 28. Of those who blaspheme God, the Virgin Mary and the other saints; 29. How malefactors ought to be taken and kept; 30. Of torture; 31. Of punishments, and their nature; 32. Of pardons, &c.; 33. Of the signification of doubtful words and things [in the Partidas], and of the rules of law.—This Partida contains 327 laws.

The whole number of laws in the seven Partidas is 2844.

Each volume has an Index of Contents.

There are various readings at the bottom of the pages.

Another edition of this work, by Berni, in 3 vols. fol., was printed at Valentia, in 1759, under the title of “Apuntamientos sobre las Leyes de las Partidas,” containing collations with the other collections of the laws and books of practice.

A translation of this work, or of part, in English, by Lialet and Carlton, was printed in America. New Orleans. 2 vols. 8vo. 1820.

A splendid edition of this work was published at Madrid in 1789, 4 vols. large folio, with the Gloss of Lopez: and additions to this Gloss were made by the Hermosillas, and published at Cologne in 1726, in 2 vols. folio.

EL ORDENAMIENTO DE LEYES, que D. Alfonso XI. hizo en las Cortes de Alcalá de Henares el año de 1348. Publicanlo con Notas, y un Discurso sobre el estado, y Condicion de los Judios en España, los Doctores D. Ignacio Jordan de Asso y del Rio, y D. Miguel de Manuel y Rodriguez. Fol. Madrid, 1774. (1st Edition).

Laws published in the Cortes held at Alcalá de Henares, in 1348, under Alfonso the 11th. This is the first time of their being printed, and this edition

contains a preliminary discourse, and a dissertation on the condition of the Jews in Spain.

This "Ordenamiento," or enactment of laws, contains 32 titles, which are divided into 125 articles or laws.

The whole, or nearly so, of these laws have been inserted, with variations, in the last two editions of the "Recopilacion," with a notification under each law of the place which it occupies therein, and—

Title 32 (containing 58 laws) comprises part of the old "Fuero," of Naxara, which is given full, in its original Latin, in Llorente's "History of the Three Gascon Provinces," &c., and in Zuaznavar's "History of the Legislation of Navarre," both hereinafter inserted.

ORDENANÇAS REALES DE CASTILLA, por mandado de los muy altos, muy poderosos, serenissimos y Catholicos Principes, Rey Don Fernando, y Reyna Doña Isabel nuestros Señores, recopiladas y compuestas por el Doctor Alphonso Diaz de Montalvo, oydor de su audiencia, y su referendario, y de su consejo. Nuevamente glossadas por el Doctor Diego Perez, Cathedratico de Canones en la muy insigne Universidad de Salamanca. 4 tom. in 2 vols. fol. Salamanca, 1575 and 1609.

Royal ordinances of Castile, compiled by order of King Ferdinand and Queen Isabella, by Dr. Alfonso Montalvo, with a gloss by Dr. Diego Perez. They were first published at Zamora in 1485, in folio. The collection is in 8 books, which are divided into titles, and subdivided into articles or laws: the total number of the latter is 1166. There is a prologue, and each volume has 2 indices.

Many of these laws were repealed or altered at the time of this publication (the same year as the 1st edition of the "Recopilacion" came out). The first 4 books are inserted (with variations) in the several editions of the "Recopilacion." Under each law in this edition is noted the place which it occupies in the "Recopilacion," and the name of the king by whom it was enacted is mentioned.

As but few of the laws contained in the four last books are mentioned to be inserted in the "Novisima Recopilacion," the titles, &c. of them are given here:—

Book 5.—Marriages, Inheritances and Wills.—Tit. 1. Marriages; 2. Wills and legacies; 3. Inheritances; 4. Acquisitions by husband and wife; 5. Guardianship of orphans; 6. Disinheriting; 7—14. Exchanges, &c., gifts, "Encomiendas," sureties, &c., security, debts and payments, delivery of possession, and execution. 77 laws.

Book 6.—The King's Revenue.—Tit. 1. The king's revenues; 2. The "contadores mayores;" 3—4. The "contadores mayores" of accounts, and tax-gatherers; 5—8. The king's 3rds, the free-fairs, "concertadores;" 9. Prohibition to export certain articles; 10—13. Tolls, horses, &c., for the king's service, strays, purveyance [yantur]. 182 laws.

Book 7.—The Property of Towns, Corporations, &c.—Tit. 1. Town-councils, &c.; 2. The alcaldes, &c. of councils; 3. The property and revenues of councils; 4. Of changing abode; 5. Mechanics and workmen. 77 laws.

Book 8.—Crimes and Punishment, &c.—Tit. 1. Examinations and accusations;

2. Usury; 3. Jews and Moors; 4—10. Diviners, &c., and heretics, the excommunicated, perjurers and falsifiers, traitors, blasphemers, injuries and insults; 11. Combinations for unlawful purposes, resistances to the officers of justice, adultery, &c., robbery, the delivering up of malefactors, violences to clergymen, &c., fines, &c.

The last edition of these Ordinances is in 3 vols. fol. Madrid, 1779—80. with Perez's Gloss.

LEYES DE TORO. Llamas y Molina (Don Sancho de), *Comentario Critico-juridico-Literal à las 83 Leyes de Toro.* 2 vols. in 1 vol. fol. Madrid, 1827.

These laws were enacted in the Cortes held at Toro in 1505. They are 83 in number, and the whole of them are inserted (under their proper headings) in the "Novisima Recopilacion" of 1805, and the part wherein each law is placed is pointed out under each law in this Commentary. The Commentary is in Spanish.

NOVISIMA RECOPIACION de las Leyes de España, dividida en 12 libros: En que se reforma la Recopilacion publicada por el Señor Don Felipe 2. en el año de 1567, reimpressa ultimamente en el de 1775: y se incorporan las pragmáticas, cédulas, decretos, ordenes y resoluciones Reales, y otras providencias no recopiladas, y expedidas hasta el de 1804. Mandada formar por el Señor Don Carlos 4. 5 vols. fol. and 1 vol. fol. Supplement, Madrid, 1829.

The last edition of the Collection of the Laws of Spain, called the "Recopilacion," and brought down to the year 1804, and now divided into 12 books: the books are subdivided into *titulos* and laws.

The first edition of the "Recopilacion" (in 1567) was divided into 2 parts or tomes: the editions of 1581, 1592 and 1598, were on the same plan. The 5th edition (in 1723) was augmented by a 4th tome or part, containing the "*Autos*" and "*Acuerdos*" of the Council. The 6th edition (1745), like the first four editions, was contained in 2 tomes or parts, including the augmentations in the 5th; and to the 2 tomes was added another, containing the "*Autos Acordados*:" and the same arrangement was made in the 7th, 8th and 9th editions in 1772, 1775 and 1775 respectively. In the present edition the number of the books is 12: the Supplement of Laws, published in 1805, does not form an additional book, but the laws contained in it are placed under such of the 12 books and their *titulos* as comprise the same subject; and where they are a continuation of other laws, the same is noted.

Summary of the whole:—

The 1st and 2nd books relate to ecclesiastical matters.

The 3rd book relates to the king, his household and court.

The 4th to the king's ordinary jurisdiction, and the Supreme Council of Castile.

The 5th to the chanceries and tribunals of the kingdom.

The 6th to subjects, their rights, &c.

The 7th to cantons or districts, and their government.

The 8th to the arts and sciences, &c.

The 9th to commerce, money and mines, &c.

The 10th to contracts, wills and inheritances.

The 11th to proceedings at law in civil matters.

The 12th to crimes, punishments and to criminal law.

Analysis of the 12 books.

Vol. I. A table showing the correspondence of the 9 books of the edition of 1775, with the 12 books of the present edition.

Book 1. Of the Holy Church, its laws, property and revenues: of prelates and subjects: and of the king's right of presentation, &c.—Tit. 1. Of the Holy Catholic Faith; 2. Of churches, and of the confraternities established therein; 3. Of the burial places belonging to churches, and the burial of the dead; 4. Of the reformation of sanctuaries, and of the taking away of fugitives from churches; 5. Of the property of churches and monasteries, and of other *manus-mortuæ* [mortmain]; 6. Of tithes and novales; 7. Of the two ninth's or royal thirds of the tithes; 8. Of church prelates; 9. Of the clergy, their privileges, property and contributions; 10. Of the clergy who have received the tonsure, and their qualifications to enjoy their "*Fuero*;" 11. Of consistorial [conciliar] seminaries, and ecclesiastical houses of education and correction; 12. Of the founding of perpetual chaplaincies, and of temporal ecclesiastical patrimonies; 13. Of church benefices, and of the requisites to obtain and serve in them; 14. Of the privilege of natives of the kingdom to obtain church benefices therein; 15. Of the residence of the clergy in their churches and benefices; 16. Of the suppression and union of incongruous benefices; 17. Of the king's right of presentation, and of the cognizance of his business in the Exchequer; 18. Of the king's presentation of church prelaties, and providing for ecclesiastical livings, conformably to the concordat with the Holy See; 19. Of the prebends *de officio* [that is, of the four prebends, doctoral, magisterial, lectural and penitentiary], and their preferment; 20. Of benefices with cure of souls, and chaplaincies in the army; 21. Of preferment to patrimonial benefices; 22. Of dispensations in matters of ecclesiastical livings; 23. Of pensions out of incomes of ecclesiastical benefices; 24. Of ecclesiastical monthly pay [*mesadas*], and half-yearly annats; 25. Of the ecclesiastical fund available to the king for pious or charitable purposes [*fondo pio benefical*]; 26. Of the regular orders; 27. Of the religious or professed; 28. Of the questors and mendicants of religious orders; 29. Of the redemption of Christian captives; 30. Of pilgrims and palmers.—This book contains 280 laws.

Vol. I., Book 2. Tit. 1. Of ecclesiastical jurisdiction and its ordinary, and tribunals and judges; 2. Of the powers of ecclesiastical judges, and of appeals to the king; 3. Of bulls and briefs, their presentation and retention in the council; 4. Of the apostolic nuncio; 5. Of the tribunal of the "*Rota*" of the "*Nunciatura*;" 6. Of the vicar-general of the royal armies; 7. Of the tribunals of the Inquisition, its officers and familiars; 8. Of the council of the orders of knighthood, and of its jurisdiction, royal and ecclesiastical, regular and magisterial; 9. Of the ecclesiastical judicature of the three

military orders; 10. Of the Royal Apostolical Junta; 11. Of the commissary-general of the "Cruzada;" 12. Of the Apostolical and Royal Tribunal for the "Gracia del Excusado" [collecting, &c. of the tax so called to assist the king in the crusades, taken out of the church funds]; its administration for the benefit of the royal treasury or exchequer; 13. Of the collector-general of the "Espolios" [property left by a bishop at his death] and "Vacantes" [the income or profits on the vacancy of a bishop till the appointment of his successor]; 14. Of notaries and other church officers; 15. Of settled fees, and sealed or stamped paper in ecclesiastical decisions.—This book contains 153 laws.

Vol. II., Book 3. Of the King, and of his Royal Household and Court.—

Tit. 1. Of the king, and of the succession to the kingdom; 2. Of the laws; 3. Of the provincial laws, or "Fueros;" 4. Of royal ordinances, orders, decrees and sentences; 5. Of the royal donations, favours or grace and privileges; 6. Of the manner of hearing and deciding by the king, and of his secretaries of state, and the "Despacho Universal;" 7. Of the council of state; 8. Of the Cortes and "procuradores" of the kingdom; 9. Of ambassadors; 10. Of the king's houses, country seats and woods, &c. and their peculiar jurisdictions; 11. Of the royal guards and their peculiar laws; 12. Of the court of justice peculiar to the king's household: officers of the royal household, their servants and dependants; 13. Of the royal junta, and the general superintendency of royal messengers and the post office; 14. Of the "aposentadores" [house purveyors] of the court: the appraisement and valuation of the houses in Madrid; 15. Of the king's privilege of selecting a royal abode; 16. Of the purveyors of the king's household and court; 17. Of the "alcaldes" of the weigh office: the supplies and retailers of the court; 18. Of the clerks of the market of Madrid; 19. Of the police of the court; 20. Of night patrols, and of visits or searches at the court by the "alcaldes" of the court and their officers; 21. Of the "alcaldes" of the quarters [divisions] and wards of the court; 22. Of candidates for offices and strangers about the court.—This book contains 239 laws.

Vol. II., Book 4. Of the Royal ordinary Jurisdiction, and of its Exercise, in the Supreme Council of Castile.—Tit. 1. Of the royal jurisdiction, and the competency of the tribunals; 2. Of the tribunals and their ministers, &c. in general; 3. Of the royal and supreme Council of Castile and its officers; 4. Of the "Cámara" [special council] of Castile; 5. Of things within the jurisdiction of the Council; 6. Of things not within its jurisdiction; 7. Of the manner of proceeding in the investigation and determining of causes in the Council; 8. Of the manner of giving their opinions, or voting on the causes and affairs in the Council; 9. Of the reports and advice given by the Council to the king; 10. Of the commissions of the Council, and of the manner of proceeding in them by the judges and officers; 11. Of the calling of public officers to account, and the manner of proceeding therein in the Council; 12. Of royal ordinances, and decrees of the Council, and of their despatch; 13. Of the registry and sealing of the royal ordinances and decrees of the Council; 14. Of the fines inflicted by the "Cámara," and the costs of proceedings before the Council; 15. Of the officers of the Council, superintendents of the "partidos" [districts so called] and provinces of the

kingdom; 16. Of the fiscal officers of the Council, and their agents; 17. Of the judge "visitador"; the officers of the Council, and their fees in general; 18. Of the notary of the "Cámara," and of the head of the Council; 19. Of the advocates of the Council; 20. Of the reporters of the Council; 21. Of the notaries of the "Cámara" of the Council, and also of the Council; 22. Of the treasurers or receivers, "receptores," of the Council; 23. Of the assessor of the fees in causes before the Council; 24. Of the porters or petty constables of the Council; 25. Of the appointed proctors or attorneys of the Court; 26. Of the agents and solicitors of business in the Court; 27. Of the two public halls of the Court, and their alcaldes; 28. Of the alcaldes, provincial justices of the Court; 29. Of the notaries and scriveners of the provincial judicature of the Court; 30. Of the alguazils of the Court and "villa," clerks, porters, and other officers of the "sala" of alcaldes.—This book contains 293 laws.

Vol. II., Book 5. Of the Chanceries and "Audiencias" [Courts of Law] of the kingdom.—Tit. 1. Of the Courts of Chancery of Valladolid and Granada; 2—10. Of the "Audiencias" or courts of law of Galicia, the Asturias, Seville, the Canary Islands, Estremadura, Aragon, Valencia, Catalonia and Majorca; 11. Of the presidents, "oidores," and other ministers and officials of the chanceries and "audiencias;" 12. Of the alcaldes of the criminal department of the chanceries; 13. Of the alcaldes of quarters [divisions] in the chanceries and courts of justice; and of those of wards; 14. Of the alcaldes, provisional judges; 15. Of the alcaldes of the "hijosdalgo" in the chanceries; 16. Of the senior judge [juez mayor] of Biscay, in the chancery of Valladolid; 17. Of the fiscal officers of his majesty in the courts of chancery and law courts; 18. Of the senior alguacils [alguaciles mayores] of the chanceries; 19. Of the officers of the courts of chancery and law, and their fees; 20. Of the chancellor and his deputy in the chancery; 21. Of the chief registrar and his deputies in the chanceries; 22. Of advocates, &c.; 23. Of the reporters [relatores] of chancery and law courts; 24. Of the [escribanos] notaries or scriveners of the "Cámara" of the chancery and law courts; 25. Of the notaries or scriveners of the criminal department of the chancery and law courts; 26. Of the notaries or scriveners of the courts of the alcaldes, provincial judges; 27. Of the notaries or scriveners of the "hijosdalgo" in the chanceries; 28. Of the treasurers [receptores] of the chanceries and courts of law; 29. Of the distributor or assessor of the business of the treasurers or receivers of the courts of law; 30. Of the assessor-general in chancery and courts of law; 31. Of the attorneys and proctors in the chancery and courts of law; 32. Of the proctors of the chancery and law courts; 33. Of the alguacils of the chanceries and courts of law of the kingdom; 34. Of the receivers or treasurers of the fines of the "Cámara," and of the costs in chancery and the law courts.—This book contains 438 laws.

Vol. III., Book 6. Of Subjects, their diversity of Rank, and Laws or "Fueros," their Obligations, Charges and Contributions.—Tit. 1. Of the lords of vassals or retainers, grandees of Spain, and other titles of Castile; 2. Of the nobility, "nobles y hijosdalgo," and their privileges; 3. Of knights; 4. Of the military; their "fuero," privileges and exemptions; 5. Of the supreme council of war; 6. Of military service; 7. Of sea service, its

"fuero" and privileges; 8. Of cruising against the enemy; 9. Of those employed in the service of the royal exchequer [*hacienda*]; their "fuero," privileges and exemptions; 10. Of the supreme council of the exchequer; 11. Of foreigners domiciliated in, or passing through the kingdom; 12. Of styles of address, by word of mouth and by writing; 13. Of clothing in general, and of the use of household stuff and ornamental furniture; 14. Of sedan chairs, coaches and litters; 15. Of mules and horses; 16. Of servants; 17. Of taxes and services, impositions and tributes; 18. Of the exemption from royal taxes and tributes, offices and common burdens; and of persons not exempt; 19. Of the baggage, utensils and lodging of soldiers; 20. Of tolls or turnpikes, bridge-tolls, ferries and fords; 21. Of "*estancos*;" 22. Of the divisions of taxes among cantons or districts.—This book contains 457 laws.

Vol. III., Book 7. Of Districts; their Civil, Domestic and Political Government.—Tit. 1. Of the walls, castles and fortresses of districts; 2. Of councils and meetings of districts; 3. Of ordinances for the good government of districts; 4. Of the privileges and customs of districts in the election of officers; 5. Of public offices; the conferring of them, and the requisites to obtain them; 6. Of public offices, and the prohibition to let them to others, that is, to appoint substitutes; 7. Of the reduction of increased offices, and of the right of the people to mete and put an end to them; 8. Of the renunciation of public offices, and their merger in the crown; 9. Of the officers of public assemblies, their obligations and prohibitions; 10. Of the deputies, "*procuradores*," and of councils for the business of districts; 11. Of the "*corregidores*," their deputies, and senior *alcaldes* [*alcaldes mayores*] of districts; 12. Of the "*residencia*" of the "*corregidores*," and other justices and officers; 13. Of the justices of "*residencia*," and their officers; 14. Of visiting justices [*jueces visitadores*] in the provinces; 15. Of public and appointed notaries or scribes [*escribanos*], notaries of the kingdom, and their visitations; 16. Of the ways and means of districts; 17. Of the supplies [provisions, &c.] of districts; 18. Of the deputies of the supplies, and the syndics [*personeros*] of district communities; 19. Of the buying, selling, and assize of bread; 20. Of public granaries, and their municipal juntas or corporations; 21. Of the boundaries of districts, their visitations or inquisitions, and the repair of bulged walls. 22. Of depopulated townships or districts, and their re-population; 23. Of waste lands, ground-plots and ancient buildings; 24. Of woods and plantations, their conservation and increase; 25. Of waste lands and pasturage; 26. Of vicinage, its rights, profits, &c.; 27. Of the council of the "*mesta*" [meeting of owners of black cattle and sheep], jurisdiction of their president, "*alcaldes mayores*," and deputies; 28. Of the "*cabaña real de carretería*," [or flocks possessed by the "*mesta de carretería*," that is, the juntas of owners, &c. of them]; 29. Of the breeding of mules and horses, and the privileges of the breeders; 30. Of hunting and fishing; 31. Of the extinction of noxious animals and locusts; 32. Of the police of districts; 33. Of public and private amusements; 34. Of public works; 35. Of roads and bridges; 36. Of public-houses and inns; 37. Of foundlings, and of the houses for bringing them up, educating and settling them; 38. Of hospitals, work-houses and other charitable institutions; 39. Of help and shelter for the

poor; 40. Of the preservation of the public health.—This book contains 567 laws.

Vol. IV. Book 8. Of Sciences, Arts and Offices.—Tit. 1. Of the schools and masters for the elements of literature and for the education of children; 2. Of the study of the Latin tongue, and others, antecedent to the higher faculties or studies; 3. Of seminaries and superior [mayores] colleges; 4. Of studies in the universities, and their reform; 5. Of the directors of universities and the royal censors therein; 6. Of the university of Salamanca, jurisdiction of its judge, rector and “maestrescuela,” the “conservatoria” and ecclesiastical “Fuero” of its members; 7. Of matriculation and academical courses in universities; 8. Of the conferring of degrees in universities; 9. Of the providing of professorships in the universities, the lectures, &c., candidates for the same, &c.; 10. Of the college of physicians, and the superior administrative council of medicine; 11. Of physicians, surgeons, and barbers; 12. Of surgery, its study and practice; 13. Of apothecaries, visitations to their shops, and the superior administrative council of pharmacy; 14. Of veterinary surgeons and farriers, and the Royal College for their examination; 15. Of printers and booksellers, printing-houses and bookshops, &c.; 16. Of books and the printing of them, licences, and other requisites for their publication, &c.; 17. Of the printing of church offices and the calendar, and of periodical writings; 18. Of prohibited books and pamphlets; 19. Of public libraries; 20. Of the royal academies established at Madrid; 21. Of the Œconomical Societies of “Friends of the Country;” 22. Of the three noble arts and their professors; 23. Of workshops, masters and men; 24. Of the manufactures of the kingdom; 25. Of the privileges and exemptions of manufacturers; 26. Of mechanics, journeymen, &c.—This book contains 283 laws.

Vol. IV. Book 9. Of Commerce, Money and Mines.—Tit. 1. Of the general junta of commerce, money and mines; 2. Of maritime and land consulates; 3. Of exchanges and public banks; 4. Of merchants and commercial men, and their contracts; 5. Of retailers, hawkers or hucksters, and pedlars; 6. Of brokers; 7. Of fairs and markets; 8. Of ships and merchandize; 9. Of weights and measures; 10. Of the mark and weight of gold, silver and money, and their value, &c.; 11. Of the assayer and public weigher; 12. Of things forbidden to be introduced into the kingdom; 13. Of the prohibition to export gold, silver and money from the kingdom; 14. Of the exportation of horses and mules; 15. Of the exportation of cattle, grain and oil; 16. Of the prohibition to export silk, wool, and other commodities of the kingdom; 17. Of money, its currency and value; 18. Of mines of gold, silver, and other metals; 19. Of mines and pits of salt; 20. Of coal-pits.—This book contains 255 laws.

Vol. V. Book 10. Of Contracts and Obligations, Wills and Inheritances.—Tit. 1. Of contracts and obligations in general; 2. Of espousals and marriages, and dispensations; 3. Of jointures and dower, and donations or gitts “propter nuptias;” 4. Of property acquired during marriage; 5. Of children, their emancipation and legitimation; 6. Of “mejoras,” or donations or gifts of a 3rd or a 5th in favour of children and their issue; 7. Of donations; 8. Of deposits for safe custody; 9. Of selling on trust; 10. Of leases; 11. Of debts and sureties; 12. Of sales and purchases, and of the excise duties

thereon; 13. Of retraction and the right of taking at a fair valuation; 14. Of annuities on the revenues of the crown; 15. Of the right to receive annual pensions; 16. Of mortgages and the taking of pledges; 17. Of primogeniture and other entailings of property; 18. Of wills; 19. Of persons who make wills for others, "comisarios testamentarios;" 20. Of inheritances and legacies, &c.; 21. Of the execution of wills, of inventories, accounts and divisions; 22. Of unclaimed and strayed property; 23. Of public writings or deeds, their marks and registries; 24. Of sealed or stamped paper for writings, deeds, and public instruments.—This book contains 307 laws.

Vol. V. Book 11. Of Civil Causes, Judgments and Executions.—Tit. 1. Of the ordinary judges; 2. Of exceptions to the judges; 3. Of the demand; 4. Of the summons; 5. Of the time appointed, &c.; 6. Of the contestation, "contestaciones;" 7. Of exceptions and "reconvenciones;" 8. Of prescription; 9. Of the "Juramento de Calumnia," and the questions and answers; 10. Of the evidence, and limitation of time in respect thereof; 11. Of the witnesses and their testimony or declarations; 12. Of the defects or imperfections, &c. of the witnesses and their evidence; 13. Of the restitution "in integrum;" 14. Of allegations and accusations in law; 15. Of the conclusion of the suit before sentence or decree; 16. Of interlocutory and definitive sentences or decrees; 17. Of the execution of decrees, and the issuing out of writs of execution; 18. Of the annulling of decrees; 19. Of costs and taxation; 20. Of appeals; 21. Of petitions, "suplicacion;" 22. Of the 2nd petition; 23. Of the appeal from a manifestly unjust sentence; 24. Of judgments and suits *de tenuta* [provisional possession of an estate during the course of a law-suit;] 25. Of the sequestrations and the management of property in litigation; 26. Of judicial deposits; 29. Of decisions affecting nobility, and the proofs, and the manner of certifying as to nobility and noble birth [limpieza, purity of blood]; 28. Of the executive process; 29. Of the justices and officers, "executores;" 30. Of the fees, &c. of executions; 31. Of pledges or securities, reprises and extents; 32. Of creditors' suits, concealments, bankruptcy, and cession of the property of debtors; 33. Of time allowed by the Court, by way of respite, for payment of debts; 34. Of decrees of restitution, that is of the delivery of property to the lawful owners; 35. Of the fees of judges and their officers.—This book contains 353 laws.

Vol. V. Book 12. Of Crimes and Punishments and of Criminal Trials.—Tit. 1.—Of the Jews, their expulsion from the kingdom, and prohibition to enter and reside therein; 2. Of the Moors and Moriscos; 3. Of heretics and the excommunicated; 4. Of soothsayers, charmers and augurs; 5. Of blasphemy and swearing; 6. Of perjurers; 7. Of traitors; 8. Of falsifiers or forgers; 9. Of deserters from the king's service, their prosecution and punishment; 10. Of those who resist justices and their officers; 11. Of tumults and popular commotions; 12. Of unions or meetings, parties and leagues, associations, and other factions; 13. Of masquerades and other disguisings; 14. Of thefts and thieves; 15. Of robberies and violence; 16. Of gypsies, their wanderings and other excesses; 17. Of bandits, highwaymen and footpads; 18. Of harbourers of malefactors; 19. Of using prohibited arms; 20. Of duels and challenges; 21. Of homicide and

wounds; 22. Of usury and interest; 23. Of prohibited games; 24. Of strifes, scuffles, &c.; 25. Of injuries, insults, and obscene words; 26. Of harlotry and public women; 27. Of pimps and bawds; 28. Of adultery and bigamy; 29. Of incest and rape; 30. Of sodomy and bestiality; 31. Of vagrants, and the manner of sheltering and employing them; 32. Of criminal causes and the manner of proceeding therein, and in the examination of witnesses; 33. Of informations and charges; 34. Of inquiries or inquests, of summary informations, and of the judges "pesquisidores;" 35. Of the Alcaldes and officers of the Holy Brotherhood, and of the cases and crimes within their jurisdiction; 36. Of the sending of criminals before the judges, and from one part of the king's dominions to another; 37. Of proceedings against absent and recusant criminals; 38. Of gaolers and prisoners; 39. Of visitations or inspections of goals and prisoners; 40. Of corporal punishments and their commutation, and the classification of criminals; 41. Of pecuniary fines belonging to the king's *erchequer* [Cámara], and applicable to the expenses of the courts of justice; 42. Of remission of sentences, and pardons by the king.—This book contains 436 laws.

The Supplement contains 121 laws; is divided into 12 books, as the "Novísima Recopilacion," and ranged in the same manner, and has a copious index.

The whole number of laws, including the Supplement, is 4182.

PRONTUARIO DE LAS LEYES y Decretos del Rey nuestro Señor Don José Napoleon I., desde el año de 1808. 3 vols. sm. 4to. 1810-12.

Laws and decrees made by King Joseph Napoleon I.

The 1st volume contains the constitution, consisting of 146 articles, the chief of which relate to the church—the succession to the crown—the king's title and oath—the regency—the king's revenues—the royal household—the ministers—the junta or senate—council of state—the Cortes, to be composed of three classes, the clergy, the nobility, and the people: the Spanish possessions in Asia and America—administration of justice—the treasury—various other regulations, &c.—military regulations. The sale of the national property to pay the national debt—criminals not to serve in the army—the gauntlet abolished—religious orders abolished, pensions being granted to the heads of them—establishment of tribunals of commerce—abolition of certain punishments for smuggling, and substituting confiscation—abolition of sanctuaries—establishment and government of lyceums—on lead mines—abolition of the secular power of the clergy—on purchasers of national property—establishment of girls' schools.

Vol. 2 contains the suppression of the heads of military orders, and their revenues transferred to the director-general of national property; decrees for tranquillizing the country; repairs of public works, the alhambra, &c.; abolition of certain privileges in Granada; division of the kingdom into thirty-eight prefectures, their councils, juntas, sub-prefectures, &c.; on the Madrid exchange; prohibition to export pictures and paintings; on tobacco and saltpetre; tariff of duties on colonial produce; tariff of duties on patents and traders; establishment of a supreme sanitary junta; establishment of a commission for theatrical matters; the minimum salary of parish incumbents fixed; military regulations.

Vol. 3. Military regulations; pensions to ex-monks and nuns; purchasers of national property; establishment of a junta for promoting general education; patents; licences to go to the Indies; an establishment for supplying the poorer people of Madrid with food at a moderate price; custom duties, &c.

Each volume contains an Index of decrees, &c.; vols. 2 and 3 contain each a general Index.

Many great and desirable improvements are proposed in these decrees, and many of them, or their equivalents, have been since carried into effect.

COLECCION DE LOS DECRETOS, y Ordenes que han expedido las Cortes generales y extraordinarias desde su instalacion de 24 de Septiembre de 1810, &c. Mandada publicar de orden de las mismas. 10 vols. 4to. Madrid, 1820-23. Imprenta Nacional. The first 9 volumes.

A collection of the decrees, &c. of the Cortes of Spain, from their installation in the Isla de Leon, on the 24th September, 1810, to the 3rd March, 1823.

The first decree, dated 24th September, 1810, is a declaration of the constitution of the Cortes and its sovereignty; the recognition of Ferdinand VII. as king; and the general organization of the government, &c.

With the same powers as the Cortes had in the Isla de Leon (or rather Cadiz), a general or rather central junta for all Spain had been established, 26th Sept. 1808, at Aranjuez; it then sat at Seville, and ultimately at Cadiz, where it convoked the Cortes of the kingdom, who sat at Cadiz.

The most important acts of these Cortes were, the abolition of the Inquisition, church reforms, the suppression of monastic orders, and the confiscation of their property to the state; great improvements in the army; the abolition of torture; the abolition of numerous privileges; the equalization of the American Indians with the Spaniards, as to political rights, &c.; the "*fueros*" of the clergy and military preserved.

Vol. 2 contains the constitution of March, 1812; the decree for the publication of it is dated the 18th of the same month.

This constitution has ten titles, which are subdivided into chapters and laws; the number of the latter is 384.

Tit. 1. (2 chapters) Of the Spanish nation and Spaniards; 2. (4 chapters) Of the Spanish territory, religion, government, &c.; 3. (11 chapters) Of the Cortes; 4. (7 chapters) Of the king, his family, succession, &c., revenue, ministers, &c.; 5. (3 chapters) Of tribunals of justice; uniformity is enacted, whereby the various *fueros* are virtually abolished in that respect; 6. (2 chapters) Of the internal government of the provinces, &c.; 7 (1 chapter) Of taxes, &c.; 8. (2 chapters) Of the national military force; 9. (1 chapter) Of public education; 10. (1 chapter) Of the observance of this constitution, and how changes may be made therein.

By article or law 11 (tit. 2), a new territorial division of Spain is announced to be about to be made; this was effected in 1834.

In 1814, (April 4, 5) commissioners were appointed to form two codes, one civil and the other criminal. From the 9th May, 1814, till the 6th July, 1820, the re-installation of the Cortes, there are no decrees, &c. of Cortes. By these Cortes many other reforms were enacted, privileges abolished, and the suppression of the Jesuits was effected. In volume 9 is the penal code, called "*Ley de Código penal*," decreed the 8th June, 1822. See for the debates in the Cortes on this code, the article hereafter inserted, called "*Diario de las Actas*," &c. This code has two parts, which are divided into titles, and subdivided into chapters and articles or laws; the number of the latter is 816.

The preliminary title (13 chapters) treats generally of crimes, punishments, pardons, &c.

Part 1. Of Crimes against Society.—Tit. 1. (4 chapters) Crimes against the constitution and political order of the monarchy; 2. (2 chapters) crimes against the external safety of the state; 3. (9 chapters) crimes against the internal safety of the state, and against public tranquillity and order; 4. (3 chapters) Crimes against the public safety; 5. (9 chapters) Crimes against public faith, as coining, and every kind of forgery or falsification; 6. (12 chapters) The crimes and misdemeanors of public functionaries in the exercise of their offices; 7. (6 chapters) Offences against the public morals; 8. (1 chapter) Of those who refuse the state the services due from them to it; 9. (1 chapter) Offences of printers, booksellers and other persons, in the abuse of the liberty of the press.

Part 2. Of Crimes and Offences against Individuals or Private Persons.—Tit. 1. (6 chapters) Crimes against persons, as murder, poisoning, castration, abortion, arson, with intent to kill; rape, adultery, changing or exposing children, &c.; 2. (2 chapters) Offences against the honour, fame and peace of individuals, as slanders, libels, revealing of secrets, threats, &c.; 3. (10 chapters) Crimes and offences against the property of individuals, as robberies, thefts, bankruptcies, frauds, abuses of confidence, arson, altering the boundaries of lands, &c.

The last decree is dated 3d March, 1823, soon after which the Cortes were put an end to by the Duke d'Angoulême's invasion of Spain. For their restoration, the later history of Spain may be consulted.

DIARIO DE LAS ACTAS Y DUSCUSIONES de las Cortes extraordinarias de 1821. Discussion del Proyecto de Código Penal. 3 vols. sm. 4to. Madrid, 1822. (Imprenta Nacional).

A Diary of the Acts and Debates of the Cortes of 1821. These three volumes comprise the debates on the then projected criminal code, which was afterwards decreed to be law.

The names of the deputies who were appointed to compile the code is given. The debates are most interesting: they occupied the latter part of the month of

November and the whole of the month of December, 1821 ; the month of January and part of the month of February, 1822.

DIARIO DE LAS ACTAS Y DISCUSIONES DE LAS CORTES. Diputacion general de los Años 1822 y 1823. Legislatura de 1823. Tomo 1. Madrid, 1823.

A Diary of the Acts and Debates of the Cortes for the years 1822 and 1823. Legislation of the year 1823. This volume comprises the debates of six days: the 9th and 11th January; the 14th and 15th February; and the 1st and 13th March, 1823. The debates relate to the interference of the allied powers in the affairs of Spain in the early part of 1823, and the then projected invasion of Spain by the French under the Duc d'Angoulême, and which invasion took place and restored King Ferdinand VII. to his rule of despotism.

The decrees, &c. of the king till his death, and the subsequent decrees of the government and Cortes of Spain, up to the year 1840, are given in the next article.

DECRETOS DEL REY DON FERNANDO VII. Año primero de su Restitucion al Trono de las Españas. Se refieren todas las Reales Resoluciones generales que se han expedido par los diferentes ministerios y consejos desde 4 de Mayo de 1814, hasta fin de Diciembre de igual Año. Por Don Firmin Martin de Balsameda. 25 vols. and 1 vol. of Index, and 1 vol. of Appendix, together 27 vols. Sm. 4to. Madrid, 1818—40.

A collection of decrees, orders, &c. by King Ferdinand VII., by the Queen Christina, in the name of her daughter, Isabel II., and by the Cortes, from 4th May, 1814, to the 31st December, 1839.

The general running title to the whole of these decrees, &c. is, "Resoluciones Reales expedidas en," &c., that is, "Royal Decisions or Decrees enacted in the Month of," &c. Every volume comprises the decrees, &c. of a year, and is divided into months.

The first 17 and half of the 18th volume include the reign of Ferdinand VII., who died 29th September, 1833. Vol. 6 ends in December, 1819. Vol. 7 begins with the king's "Acuerdo," dated the 22nd October, 1823. The intervening acts (being the acts of the Cortes) between January 1820 and October 1823, must be sought for in the preceding decrees of the Cortes for that space of time hereinbefore inserted.

From the half of vol. 18 to vol. 25 are the decrees of the queen mother (Christina) and of the Cortes.

The appendix contains additions to the years 1814, 1815, 1816 and 1817.

The volume of Indexes of Contents reaches only to 1827; it comprises an

alphabetical index of subjects, a chronological index divided into years and months, and an analytical index of subjects.

Every volume has an Index of Contents, and many of them Appendices.

Balsameda was the editor of the first 7 volumes, and Don Josef Maria de Nieva the editor of the next 14 volumes; the other 5 volumes are without an ostensible editor. After vol. 6 the title pages are somewhat different.

The first 20 volumes are printed at the Royal Printing Press; the other five at the National Printing Press.

The chief decrees, &c. are the following:—

Vol. 1 contains, as the first act, the nullifying of the constitution decreed by the Cortes, and other acts of theirs; the nomination of ministers, &c.; the nullifying of certain acts by the central junta, the regencies and the Cortes; re-establishment of the Inquisition; restoration of the property of the monks, &c.; re-establishment of the council and “Cámara” of the Indies, &c., and of the Royal Council of Castile, &c.

Vol. 2 contains restrictions on the press; the re-establishment of the Jesuits; an edict against Freemasons; concessions to the Inquisition.

Vol. 3 contains army regulations, rewards, &c.

Vol. 4 contains a treaty with Great Britain for the abolition of the traffic of negroes; rewards and honours to those who took a part in the then late war.

Vol. 5 contains regulations concerning the re-establishment of the Jesuits.

Vol. 6 contains a decree for the compilation of a new criminal code; the establishment of Lancasterian schools.

Vol. 7 contains the nullifying of the constitution of 1812, and all acts done by the Cortes between the 7th March, 1820, and the 1st October, 1823; restoration of seignoral rights; nullifying of acts of the Cortes relating to tithes; restoration of the property of monasteries.

Vol. 8 contains the re-establishment of primogeniture [mayorazgo] and entails.

Vol. 10 contains persecutions of freemasons.

Vol. 11 contains regulations concerning inventions: a yearly exhibition of works of Spanish industry to take place.

The last 6 volumes, and also some of the following, contain regulations for “purification” of political offences.

Vol. 12 contains regulations against secret societies.

Vol. 13 contains the remodelling of the army.

Vol. 14 contains army regulations as to pay, &c.; Cadiz declared a free port: the commercial code to come into operation on the 1st January, 1830.

Vol. 15 contains army regulations.

Vol. 16 contains the classification, &c. of commercial tribunals; on mortmain; revocation of the decree, &c. declaring Cadiz a free port.

Vol. 17 contains a general amnesty, with one exception.

Vol. 18 contains the decree for the oath of allegiance to be sworn to Ferdinand's daughter (the present queen of Spain); reorganization of the police; the pragmatic sanction for the observance of the king's last will; on the oath of allegiance to Doña Maria Isabel; the division of Spain, the Balearic and the Canaries, into 49 provinces, with the names of their capital towns, and the number of inhabitants in every province; the total number (in 1834) was 12,286,941, according to a table accompanying the decree.

Vol. 19 contains a royal statute and decrees for the convocation of the Cortes, the election of deputies, &c.; a general amnesty; the re-establishment of employments,

offices, &c. granted between the 7th March, 1820, and the 30th September, 1823 ; uniformity of the superior courts of law ; ecclesiastical and law reform ; further amnesties ; subdivision of the provinces for judicial purposes [see this inserted in this list] ; on tithes and first fruits ; definitive abolition of the Inquisition ; exclusion of Don Carlos from the crown ; judicial reforms ; organization of a town militia ; abolition of the Royal Company of the Philippines ; on the press and playhouses ; freedom of commerce for provisions, &c. ; abolition of many privileges, &c. ; on public education.

Vol. 20 contains numerous judicial and other reforms ; suppression of the Jesuits and monasteries ; confirmation of sales of property of monasteries ; judicial proceedings in army and naval matters ; abolition of privilege of blood for offices, &c.

Vol. 21 contains the recognition of the independence of the Americas ; decree for publishing the constitution of 1812 ; abolition of the Royal Council of the Indies ; abolition of monasteries, &c., with exceptions ; judicial reforms ; on purchases of national property ; foreign coal for steam-vessels to pay no duty ; on the public debt ; intendancies of provinces established ; on elections of deputies to the Cortes ; on the national militia ; the university of Alcalá transferred to Madrid ; abolition of "centadarias," of "propios" and "arbitrios;" general liberty to carry on manufactures, &c. ; appointment of a "protector" of foreigners.

Vol. 22 contains the proclamation of the constitution, 18th June, 1837, signed by the deputies and the queen mother. This fundamental constitution consists of 13 titles, divided into 79 articles, two of which are additional, and the last of these two declares that the provinces beyond seas are to be governed by special laws.

Tit. 1. Of the Spaniards ; 2. Of the Cortes ; 3. Of the senate ; 4. Of the congress of deputies ; 5. Of the meetings of the Cortes, their powers, &c. ; 6. Of the king ; 7. Of the succession to the crown ; 8. Of the king's minority, and of the regency ; 9. Of the ministers ; 10. Of the authority of the judges, &c. ; 11. Of provisional deputations and meetings, &c. ; 12. Of taxes, &c. ; 13. Of the national military force.

The legislative power consists of the king, the senate and the congress of deputies to the Cortes.

On matrimonial reform ; the oath to be sworn in respect of the new constitution ; that the American and Asiatic provinces be governed by special laws ; on the national property ; prohibition to export paintings, books and MSS. ; new form to the Council of Orders ; on periodicals ; numerous reforms.

Vol. 23 contains the final abolition of all monasteries, &c. ; abolition of duels ; abolition of the privileged or foral deputations of the three Gascon provinces, and substitution of another form ; tithes and first fruits abolished ; on national property and copyholds.

Vol. 24 contains numerous reforms.

Vol. 25 contains the dissolution of the Cortes, and the convoking them for the 18th February, 1840 ; on the limits of the administrative and judicial authorities ; law confirming the "Fueros" of Guipuzcoa, Alava, Biscay and Navarre, as specified ; and mention is made of intended alterations therein ; on the national property ; on mortmain ; establishment of schools.

The appendix and the index.

CODIGO DE COMERCIO decretado, sancionado y promulgado en 30 de Mayo de 1829. Edicion oficial. Sm. 4to. Madrid, 1829.

A commercial code promulgated in Spain during the reign of Ferdinand VII.

This code is divided into five books, which are subdivided into titles, sections and articles, the number of the latter of which is 1219.

There is a confirmation by the king prefixed.

Book 1. Of Commerce and Commercial People. Tit. 1. Fitness to carry on commerce and of the legal qualification of commercial people; 2. The obligations which are common to all carrying on commerce; 3. Certain businesses auxiliary to commerce, and their respective obligations.

Book 2. Of Commercial Contracts in general, their Forms and Effects.—Tit. 1. Preliminary regulations as to the forming of commercial contracts; 2. Mercantile companies or partnerships; 3. Mercantile sales and purchases; 4. Exchanges, &c.; 5. Loans and the returning of the things lent; 6. Mercantile deposits; 7. Mercantile sureties; 8. Insurances on transports of goods by land; 9. Contract and bills of exchange; 10. Notes, orders, &c.; 11. Letters of credit; 12. General rules as to limitation of time in mercantile contracts.

Book 3. Of Maritime Commerce.—Tit. 1. Ships; 2. Persons engaged in maritime commerce; 3. Special contracts concerning maritime commerce; 4. Risks and losses in maritime commerce; 5. Prescription as to particular obligations of mercantile contracts.

Book 4. Of Bankruptcy.—Tit. 1. The state of bankruptcy and its different kinds; 2. The declaration of bankruptcy; 3. The effects and retroaction of bankruptcy; 4. The proceedings consequent on the declaration of bankruptcy; 5. The nomination of the assignee, and his functions; 6. The administration of the bankruptcy; 7. The examination and verification of the credits against the bankruptcy; 8. The order of payment of the creditors; 9. The classification [calificacion] of the bankruptcy; 10. Agreements between the creditors and the bankrupt; 11. The restoration of the bankrupt; 12. The bankrupt's surrender of his property.

Book 5. Of the Administration of Justice in commercial Matters.—Tit. 1. The tribunals and judges that have cognizance of commercial causes; 2 and 3. The organization and competency of commercial tribunals; 4. Judicial proceedings in commercial causes.

An index of books, titles, &c.

EL FUERO, Privilegios, Franquezas y Libertades de los Cavallos hijos-dalgos de el muy noble y muy leal Señorío de Viscaya confirmados por el Rey D. Carlos tercero nuestro Señor por los Señores Reyes sus Predecesores, folio, 1762, [no place]. •

A curious frontispiece containing the arms of Biscay.

This is a collection of the "Fueros" or privileges of the province of Biscay; they are very remarkable.

The book is divided into 36 titles, and subdivided into 276 laws. The 1st title treats of the oath to be taken by the lord of the province (the king),

on his accession; 2. Of the judges and officers of the said county and seignory, and their salaries, &c., and of the examiners; 3. Appeals to be allowed by the ordinary judges and examiners; 4. Alcades, &c., to "hacer residencia;" 5. What persons may be admitted into the executive government; 6. Of scriveners, notaries, &c., and their fees, &c. [escribanos del numero]; 7. Of law proceedings; 8. The form and order in criminal proceedings; 9. Of impeachments, accusations, &c., and the order to be observed in the proceedings; 10. Of those that harbour criminals; 11. Of the county prison; 12. Of prescription; 13. Of oaths; 14. Of the final or interlocutory judgment or decree; 15. Of "recusaciones," exceptions to judges, &c.; 16. Of the putting in possession of property by the judges' sentence, and of executions; 17. Of sales; 18. Of barter and exchange; 19. Of mortgages, &c.; 20. Of dower, and gifts between husband and wife; 21. Of wills, legacies, and intestacies; 22. Of minors, their property and guardianship; 23. Of finding food for, and maintaining parents, &c.; 24. Of public works, &c.; 25. Of the planting of fruit and other trees on commonable grounds; 26. Of fraudulent family deeds; 27. Of public roads, &c.; 28. Of "herrerias," iron works, &c.; 29. Of appeals; 30. Of seizures made by the townsmen on the Biscayans of the low country; 31. Of the liberty of ranging over the downs, &c., for pasture; 32. Of the right of presentation and on ecclesiastical judges and fiscal officers; 33. Provisions imported into Biscay; 34. Of damage and wrongs and their punishment; 35. Of gambling and public misdemeanors; 36. Of those who desert their mansions, being indebted to the crown.

There are several royal charters of confirmation of these privileges and other documents, the earliest by Queen Isabella in 1473.

An index of contents.

ORDENANZAS de la Casa de la Contratacion de la muy noble y leal Villa de Bilbao. Fol. Bilbao, 1669.

Ordinances of the "Casa de Contratacion" (tribunal for commercial affairs) of the town of Bilbao in Biscay. These ordinances are 75 in number, and are contained in so many chapters.

Chapter 1 treats of the election of a "Fiel," (public inspector of weights and measures) and 2, consuls and of their duties; 2—20. Of the election of the said officers, the votes, and their retiring from office, &c.; 21—22. Of exceptions to them, and of appeals from them to the Corregidor; 23—66. Of policies of insurance, and of insurances in general; 67—70. Of average; 71—73. Of proceedings before the tribunal; 74. Of bills of exchange; 75. Of appeals.

There is no date to these ordinances, nor is there any kind of introduction or explanation.

Bound up in the same volume is the following article:—

LAS PREMATICAS, ordenanças, ley, y facultad dada por sus Magestades, por privilegio especial, ad la universidad de la contratacion

de los Fiel, y Consules de la muy noble Villa de Bilbao. Fol. Bilbao. (No date.)

Pragmatics, ordinances, &c. given and enacted by King Ferdinand and Queen Isabella in favour of the prior, consuls, and merchants of the city of Burgos, dated 1494, extended by Queen Juana, in 1511, to the consuls and corporation of merchants of Bilbao.

In 1737 (reprinted in 1775) were published other ordinances of the same Tribunal, in 29 chapters.

NUEVA RECOPIACION de los Fueros, Privilegios, buenos Usos y Costumbres, Leyes y Ordenanzas de la muy noble y muy leal Provincia de Guipuzcoa. Fol. Tolosa, 1696.

A new collection of the "fueros," privileges, customary laws, &c. of the province of Guipuzcoa, confirmed by King Phillip V. In the preface will be found an historical account of the alterations made in these "fueros" during the different reigns of the Spanish kings. The last collection of them before this appears to have been made in 1581.

Contents—

The confirmation of these "fueros" by the king, and two other documents; a preface, an index of chapters, &c., and an analytical index of the whole work.

The collection consists of 41 titulos, which are divided into 231 capitulos or chapters.

Titulo 1. Of the province, its situation, the quality and property of the soil; and of the inhabitants; 2. Of the antiquity, nobility and fidelity of the province, and of the just confidence reposed in it at all times by the kings of Spain, and of the shield of arms of the said province; 3. Of the corregidor, his bailiffs [merinos], "alcaldes" ordinary, and those who serve executions; 4. Of the general "juntas" or assemblies of the province; 5. Of special convocations and "juntas;" 6. Of the president or assessor of the "junta;" of the lawyers, and "procuradores" of the province; 7. Of the general deputies of the province; 8. Of the "procuradores" to general and special "juntas," and of the ambassadors or messengers of the province; 9. Of the seats and form of voting of the "procuradores" in the "juntas;" and of the number of houses [fuegos] according to which every district, privileged or not, and some cottages [casas] vote and contribute to the taxes, &c. of the province; 10. Of the jurisdiction of the "hermandad" of the province; 11. Of the secretary or "escribano fiel," and of the seal of the province; 12. Of the assessments of the province, and of the assessor; 13. Of the "alcaldes" of the "hermandad" of the province, and of proceedings before them; 14. Of the "escribanos" and "escribanos del numero" of the province; of the registers, and of the books of districts, and of churches; 15. Of prisons, gaolers or "alcaldes" of prisons; 16. Of summonses; 17. Of the "alcalde" of export duties, and his officers; 18. Of the exemption of the province from duties, both by sea and land; and of the freedom enjoyed by the inhabitants of providing themselves with provisions from foreign countries; 19. Of the traffic, commerce, and navigation of the province; 20. Of the weights and measures of the province; 21. Of

the cider of the province; 22. Of the things prohibited to be exported from the province; 23. Of the making and repairing of the roads and bridges of the province; 24. Of the levies and other things pertaining to law, in respect of the province; 25. That the arms belonging to the inhabitants of the province cannot be seized for debt; 26. Of the benefices, patrimonial or not, and of the clergy of the province; 27. Of the "missas nuevas," burials, marriages and baptisms within the province; 28. Of monopolies, associations and bands; 29. Of violence, robberies and thefts; 30. Of harbourers and concealers of malefactors; 31. Of vagabonds, &c.; 32. Of the punishments of servants to "acotados;" 33. Of false witnesses; 34. Of offensive arms, the use of which is forbidden; 35. Of truces, treasons and challenges; 36. How malefactors are to be pursued; 37. Of iron works and the workmen, and of veins of iron; 38. Of planting and cutting trees and woods, and of grubbing up; 39. Of arson; 40. Of the pasturing of cattle, &c., and of the fine to be paid for them when taken depasturing when and where they ought not, and in the season when they can feed on cheanuts and acorns; 41. Of those who may not live or dwell in the province of Guipuzcoa; of those who may dwell therein, and obtain and enjoy offices of honour in all the places of the province.

Seven confirmations of these privileges by the kings of Spain, the earliest of which is dated in 1379.

A frontispiece containing the arms of the province.

FUEROS Y OBSERVANCIAS de las Costumbres escriptas del Reyno de Aragon. Fol. Saragosa. 1576.

The "Fueros" and customary laws of the kingdom of Aragon. The prototypes of these "Fueros," &c. were the "Fueros" of Sobrarbe. See preface to this edition.

This is a new edition, compiled under a commission issued by Phillip the Second in 1547, in Charles the Fifth's name, for their revision and general reform. This collection or compilation is divided into 3 parts. The 1st contains all the "Fueros" in use at the time of the publication of this edition: they are divided into 9 books, and the laws on one subject are put under one title, with the name of the king that enacted it, the place where the Cortes was held, and the year, together with a reference in the margin to the page of the old copy where the same may be found. These laws are partly in Latin and partly in Spanish.

Part 2. contains the written "Observancias" and customs of the kingdom of Aragon that have not undergone any change at all. These are in Latin, and were compiled (by order of Alfonso in the Cortes held at Turolii in 1428) by the Lord Chief Justice of Aragon and 6 other lawyers.

They are divided into 9 books, and are called in the Introduction "Observantie et acti curiarum."

Part 3 contains all the "Fueros" that have been abrogated, or otherwise of no force, with the names of the kings, the date and places of the Cortes, and the references, as in the 1st part, to the old copy.

These "Fueros" are partly in Latin and partly in Spanish.

To these are added "Fueros" published by Philip II. in the Cortes of Moncon in 1553, in the name of his father Charles V.

There is a valuable historical preface, a list of the Cortes (with the names of the kings) wherein these "Fueros" were enacted or promulgated.

Each part has an alphabetical index or digest of the books, rubrics, &c.

Part I. Book 1.—Rubric 1. Of the church and its ministers; 2. Of the procession of the host; 3. Of sanctuary; 4. Of the immunities of churches, &c.; 5. Foreigners not to hold benefices, &c.; 6. Of the privileges of the clergy in general; 7. Prelates when summoned on criminal matters by reason of their temporalities are not to appear; 8. Of subsidies; 9. Of the baptism of Jews and Saracens; 10. Of tithes; 11—13. Of statutes, and the Cortes of Aragon; 14, 15. Of the general privilege of Aragon and the Declaration; 16 & 17. Of the general privileges and "fueros" of Aragon; 18. Act for the perpetual abolishing of the "Hermandad;" 19. That Ripacurcia is part of Aragon; 20. That the province of Valencia shall be governed by the "fueros" of Aragon; 21. Act of the Cortes concerning the sons of Aragonese born abroad, &c.; 22—24. Of the swearing in of the king, &c. the oath, &c.; 25. Of sales by the king, &c.; 26. The king to hear complaints, and to receive petitions on Fridays and Saturdays; 27. The king to have with him two knights and two lawyers, for the dispatch of business; 28. The king not to appoint a lieutenant in Aragon, except in certain cases; 29. Of extension of time for payment of debts; 30. Officers not to meddle with civil matters; 31, 32. Of the appointment of the king's eldest son to be governor or lieutenant-governor; 33, 34. Of the chancellor and vice-chancellor; 35—42. Of the office of governor and his assessor; 43, 44. Of the Lord Chief Justice of Aragon and his lieutenant; 45—47. Of the injunctions of the same justice; 48—50. Of the authority of the same; 51. Of the deputies of Aragon; 52, 53. Of admission to offices; 54. Of the king's prothonotaries, secretaries, and writers; 55—57. Of the king's registers and archives; 58, 59. Of judges delegate and ordinary; 60, 61. Of judges and adjuncts; 62. Of commissions and rescripts; 63—65. Of commissioners of roads, fines, and salt-works; 66—68. Of "merinos," "alcaydes," and "alguazils;" 69—72. Of assessors, local judges and their deputies; 73. Of officers to execute the law, and their deputies; 74—77. Of porters, notaries, and vergers; 78. Civil and criminal judges, &c. not to be clergymen; 79. Foreigners not to hold certain offices; 80. Exceptions in favour of Catalonians; 81. Judges to be Aragonese; 82, 83. Of the oaths of officials; 84, 85. Of candidates for offices.

Book 2.—Rubric 1. "De edendo;" 2—4. Of instruments or writings and copies; 5. Of law proceedings which are lost, &c.; 6. Of civil causes; 7, 8. Of summonses, notices, contumacy; 9. Of promises without cause; 10—21. Of advocates and proctors, &c.; 22. "Quod cujusque universitatis;" 23. Prohibition to alienate to the king, &c. things in "lite;" 24. "De gestis rebus;" 25. Of the privileges of the absent; 26. Of arbitration; 27. Of service; 28. "De formulis sublatis;" 29. Prohibition to interrogate, &c.

Book 3.—Rubric 1. Of trials, &c.; 2. Of counsellors; 3. That litigant parties shall not sit by the side of the judge; 4. Of the administration of justice; 5. Of the shortening of law proceedings, &c.; 6—12. Miscellaneous proceedings; 13. Of the "litis contestatio;" 13—16. Of delays, holidays, and

adjournments, &c. ; 17—19. Of jurisdiction and competency ; 20, 21. Of claims ; 22—24. Of usufructs, copyholds, and servitudes ; 25. Of letting rain-water run off houses, &c. ; 26. Of streams, ovens, and mills ; 27, 28. Of pastures, and felling trees ; 29. Of land recovered from deserts, &c. [*de scaliis*] ; 30—33. Of hunters, hunting, the chace, and dovescotes ; 34. "*De Lege Aquilia*;" 35. "*Si quadrupes pauperiem dicatur*;" 36. Of the division of inheritances ; 37. Of joint proprietors ; 38. Of boundaries, &c. ; 39. "*De pedianda hereditate*;" 40. Of fruit-trees, overshadowing another man's land ; 41—43. "*De manifestanionibus*" of persons, goods, and writings ; 44—83. Of the council of the "*Audiencia Real*" of Aragon, its composition, its decisions, &c. and of the "*Audiencia Real*" generally, and of the Lord Chief Justice of Aragon.

Book 4.—Rubric 1 & 2. Of oaths ; 3. Of seizure ; 4—5. Of the heirs of bailers of malefactors and thieves ; 6, 7. A son not to answer for his father and mother, nor they for him ; 8. Neither husband nor wife can alienate without the other ; 9. Of seizures and sequestrations [*de empamentis*] ; 10—13. Of testimony, &c. ; 14—17. Of instruments, and the form of witnessing of acts by notaries ; 18—23. Of notaries and scriveners, and of seals, &c. ; 24—26. Of taxation of costs, &c. and of the salaries of notaries ; 27—28. Of the taxes called "*Cena*;" 29—31. Of the king's rights, patrimony, &c. ; 32. "*De Lezdis*;" 33. "*De pedaticis*;" 34. "*De Carneragio*;" 35. Of farmers of the royal revenues, &c. ; 36, 37. Of fees ; 38—40. Of lendings, &c., and of usury ; 41, 42. Of deposits ; 43, 44. Of quit-rents, &c. ; 45—49. Of letters of privilege to creditors, custom-house acquittances, taxes, &c. ; 50. Women not to be taken up for debts ; 51—53. Of sales and purchases ; 54, 55. Of merchandize and the examiners of the same ; 56, 57. Of the weighers of wool and saffron ; 58. Of boundary marks in common ; 59. Of cloths of wool and silk ; 60. "*Mandati*;" 61. Of the failures of tradesmen, &c. ; 62. "*De numeribus agnoscendis*;" 63. Bridge-toll at Saragoza abolished ; 64. Of donations ; 65, 66. Of contributions to taxes, and of bridge tolls ; 67. Of examiners of official persons ; 68. Of the revocation of grants, &c. to foreigners ; 69, 70. Of leases &c. and of hirelings ; 71. Of cattle and fairs ; 72. Taxes on things sold, &c. to be paid ; 73. "*De alfardis*" [taxes] ; 74. Foreign wine forbidden to be imported ; 75—77. Abolition of monopolies and associations, and of bridge tolls, &c.

Book 5.—Rubric 1—9. Of dowery, second marriages, &c. ; 10. Of the dowery of the king's daughters ; 11. Of widowhood ; 12. Of illegitimate and other children ; 13. Of the contracts of minors ; 14—16. Of guardians, emancipation, and minors.

Book 6.—Rubric 1—5. Of robberies, &c. ; 6—11. Of wills, disinheriting, trusts, and entails ; 12. Of procuring the death of a person, and inheriting his property ; 13. Of intestacies ; 14. Of the meaning of words.

Book 7.—Rubric 1—4. Of knights and "*infançones*" and their privileges ; 5—20. Of barons, nobles, leaders of men-at-arms, knights, "*infançones*," knighthood ; 21. Of servants ; 22. Of frauds ; 23, 24. Of acquiring possession, and of prescription ; 25—29. Of decisions of the courts, and of the judges, &c. ; 30. "*De prohibitis averiis*;" 31. Of the punishment for rash litigation ; 32—34. Of the costs of suits ; 35, 36. Of the execution of sentences and decisions ; 37, 38. "*De firmis juris*;" 39. Of the "adminis-

tradores del general;" 40. Of the receivers of the money of the province; 41. Of execution in the same; 42. "De oppositione terci;" 43, 44. "De confessis" and "De evocationibus;" 45. "De consultationibus;" 46. Of appeals; 47. Of renunciations of property; 48. Of surrenders of property; 49, 50. Of the custody of debtors, and of fraudulent debtors.

Book 8.—Rubric 1, 2. Of occupation and of disseizin; 3, 4. Of the construction and repairs of ditches and walls; 5. Of mortgages, &c.; 6. Of exceptions; 7. Certain horses not to be taken in pledge; 8. Of bail or security. 9. "De caplevatoribus" [bail]; 10—12. Of payments, &c.; 13, 14. Of adoptions and donations.

Book 9.—Rubric 1. Of appeals or calls [de appellitis;] 2. Of the manner of proceeding in criminal trials; 3. Of accusations; 4. Of confessions, and of finding the thing stolen on the thief; 5. Of the costs of the cause; 6. Of proceedings against persons summoned, but absent; 7. Of accusations against official persons; 8—10. Of bound proctors or attorneys ["astrictis;"] 11. Cases wherein a malefactor cannot be held to bail; 12. Of harbourers of malefactors; 13, 14. Of the keepers of prisons, and of the custody of malefactors; 15. No prisoner to be taken out of the kingdom of Aragon; 16. Of prisons; 17. No man to be compelled to serve in the galleys; 18. Of adultery and fornication; 19. Of rape and clandestine marriages; 20, 21. Of vassals; 22. Of crimes committed in lordships; 23. Of homicide and murder; 24. Of sorcery, divination, &c.; 25. Of poisoning; 26. Of forgery, &c.; 27—35. Of confirmations of the coinage, and of the currency, &c.; 36. Of the division of fines for crimes (i. e. a kind of weregeld); 37, 38. Of wounds, &c.; 39. Of betrayings, &c.; 40. "De prohibita unione," &c.; 41. "De prohibita inquisitione;" 42. Of inquiry as to official persons; 43. Persons not to beg; 44. Of physicians, surgeons, and apothecaries; 45. Of confiscations of property; 46. Of bawds, &c.; 47. Abolition of the ordeal of hot iron; 48. Of body-snatching; 49. Of deaths in tournaments, &c.; 50, 51. Of resistance to officers; 52. Of taverns, baths, mills, &c.; 53, 54. Of the banishment of gypsies; 55. Of the punishment of rebellious vassals; 56. "De submissionibus non faciendis;" 57—60. Of peace, and the king's protection or safeguard; 60—66. Of truces, duels, challenges, and warrings; 67, 68. Of the incompetency of the judge, and of errors in the proceedings in criminal causes; 69. Of criminal trials; 70. Reservation of the rights of lords; 71. Of remissions and protections, &c.

The number of laws in this first part is 1068.

Part 2. The "observancias," &c.

Part 3. The laws that have been repealed, &c. Their number is 297. The best edition of these "Fueros" is in 2 vols. fol. 1664.

FUEROS published by Philip II. in 1547.

These are 77 in number.

Rubric 1, 2. Of the offices of inquisitor as to delinquent officials; 3. Of judges; 4. Of the salt commissioners; 5. Of porters; 6. Of weights and measures; 7. Of archers (a sort of constables); 8. "Privilegio de la tabla de Saragoza;" 9. Of the vice-chancellor, &c.; 10. Of the residence of the

counsellors; 11, 12. Of the residence of the deputies in the Cámara of the Council, and of the salaries of the deputies of the Lord Chief Justice of Aragon; 13—18. Of advocates, judges, counsellors, assessors, notaries, writers, and scriveners; 19. Of seizures, &c.; 20. Of the pay of servants; 21. Of appeals; 22. Of the privileges of doctors of law; 23. Of the conservation and increase of herds, &c.; 24. Mules forbidden to be exported; 25. Skins and hides forbidden to be resold; 26. Of bail; 27. Of costs of suits; 28. Of candidates for the deputyship to the Lord Chief Justice of Aragon; 29. The time these "Fueros" are to be in force; 30. Sumptuary laws for Aragon.

The title-page of this volume has the arms of Aragon.

A commentary on these "Fueros" was published by Miguel de Molino, in 1624. fol.

CONSTITUTIONS Y ALTRES DRETS DE CATHALUNYA,
compilats en virtut del cap. de Cort 24 de las Corts per la S. C. y
Real Majestat del Rey Don Philip nostre Senyor celebradas en la
Villa de Montso any 1585. 3 vols. fol. (in 1). Barcelona, 1588.

The constitutions and other laws of Catalonia, compiled by virtue of the 24th chapter of the act of the Cortes held at Monson, under Philip II. in 1585.

These are divided into 3 parts or volumes: the 1st contains all the laws, properly so called, in force at that time. These are comprised in 10 books, which are subdivided into titles and chapters, or laws, or constitutions.

The 2nd part or volume contains pragmatics, bulls, concordats, acts of the Cortes, &c., and is also divided into books, which are subdivided into titles and chapters or laws.

The 3rd part contains such constitutions and other laws as had become useless, &c. These are also divided into 10 books, and subdivided like the other 2 parts.

Each part has a separate title-page and a fresh numbering; and has also an index of titles, &c. and a digested index (except the last part) of the contents of such part.

There is prefixed to the first volume an Epitome of the Genealogy of the Counts of Barcelona, in the Catalanian dialect, with a list of laws made by each count and king. The text of the laws is also Catalanian.

For the alterations made in these laws, see the decree of Philip V., which is the 1st law of the 9th title of the 5th book of the "Novisima Recopilacion;" and also for further alterations, see Vives's translation into Spanish of these laws, hereinafter inserted. The number of laws in this decree is 58, compressed into 44.

The first authenticated collection or compilation of the laws and customs of Catalonia was made in 1413, by Ferdinand I., King of Aragon, who caused the same to be translated from Latin into Catalanian. Of this translation two or three editions were published towards the end of the 15th century.

The 2nd collection of the same laws is the present; the 3rd was made in 1704; since which time other laws have been added.

The names of the kings, the places where the "Corts" or Cortes were held, and the year, are given to each chapter or law; the earliest is dated 1234.

Book 1.—Tit. 1. Of the Holy Catholic Faith ; 2. Of the immaculate conception of the Virgin Mary ; 3. Of churches and hospitals, and of their property and privileges ; 4. Of bishops, prelates, the clergy, &c. and their privileges ; 5. Foreigners not to hold benefices, &c. in Catalonia ; 6. What things are forbidden to the clergy ; 7. Of the "Santa Cruzada ;" 8. Of the commissary of the apostolic brief against the clergy that commit atrocious crimes ; 9. Of heretics and other excommunicated persons ; 10. Of Saracens ; 11. Of the title of the prince ; 12. Of the "audiencia" of the same ; 13. Of holding the Cortes ; 14. Of usages, constitutions and other laws ; 15. Of the interpretation of the same ; 16. Of the observance of the laws, &c. ; 17. Of privileges and immunities ; 18. Of safeguards, passports, &c. ; 19. Of maintenance in possession ; 20. Of lists, &c. ; 21. Of rescripts and delays ; 22. Of the fees for sealing ; 23. Of things obtained against the law and the public good ; 24. Of the "audiencia" and royal council ; 25. Of the election, number and examination of the doctors of the "audiencia" and royal council ; 26. Of the residence and absence of the same doctors ; 27. Of the manner of voting, and of concluding causes in the same tribunals ; 28. That the said doctors cannot plead nor advise ; 29. That the "audiencia" must answer the "consultas" of the ordinary judges ; 30. Of those counsel and others of the "audiencia" who may be impeded in their functions ; and of their salaries ; 31. Of the vice-regal "audiencia" of the governor ; 32. Of the verbal decisions of the king, and his lieutenant-general, chancellor and others ; 33. Of the decisions of the royal "audiencia ;" 34. Of the chancellor, vice-chancellor, and regent of the chancery ; 35. Of the Chamberlain ; 36. Of the prothonotary, secretaries, writers, &c. of the royal chancery ; 37. Of the governor, his deputy, and his assessor ; 38. Of the finance minister [maestre racional] ; 39. Of the treasurer ; 40. Of the bailiff-general, the royal "procurador," his deputy, assessors, advocates, and fiscal "procuradores ;" 41. Of advocates and "procuradores," and collectors of "tercios ;" 42. Of "alguaciles ;" 43. Of "vegueres," under-"vegueres," bailiffs, under-bailiffs, head-watchmen and others, and of their oaths ; 44. Of judges and ordinary assessors ; 45. Of judges delegate ; 46. Of judges "de taula," and of their salary, and what officers they are to have ; 47. Officers may be punished while they hold office ; 48. Of "diputadors" and "oidores ;" 49. Of counsellors, "paers," consuls, jurats and other heads, &c. of universities ; 50. Of the "alcaldes" and moneyers of the mint ; 51. Of the "alcaldes," captains and other people of war ; 52. Of "aposentadores" (officers to prepare lodgings for the king, &c.) ; 53. Of the advocates and attornies for the poor ; 54. Of royal porters and purveyors of mules, &c. (adzemblers reyles) and their salaries ; 55. Of "saigs," couriers and vergers ; 56. Of persons who are prohibited holding offices ; 57. Of things forbidden to official persons ; 58. All official persons in Catalonia and Majorca to be Catalonians ; 59. Official persons to reside at or near their places of employment ; 60. No new offices to be created ; 61. That offices of three years' duration shall not be given in perpetuity, nor for life [a violari] ; 62. That offices of a fixed duration shall not be extended beyond the time ; 63. That none shall have more than one office of jurisdiction in one place.

Vives, in his translated edition, has seventy-four titles in this book.

Book 2.—Tit. 1. Of the manifestation and exhibition of papers, writings, &c. ; 2. Of pacts, adjustments, &c. ; 3. Of truces, &c. ; 4. 5. Of advocates and attornies ; 6, 7. Of the examination of advocates, physicians, medicines, and notaries ; 8. Of education in universities, &c. ; 9. Suits, &c. not to be transferred ; 10. Of frauds, deceit, &c. ; 11. Of minors under twenty-five years of age, and under their father's authority ; 12. Of restitution "in integro ;" 13. Of arbitrations, and the carrying of them into effect.

Vives has the same number of titles.

Book 3.—Tit. 1. Of judgment, and of bail or security (*firmas de derecho*) ; 2. Of the jurisdiction of all the judges, and the competent tribunals ; 3. Of exceptions to the judges, &c. ; 4. Of conflicts of jurisdiction, and of the occupation of benefices ; 5. How the doubt is to be cleared up, whether a cause is civil or criminal ; 6. Of the transfer of causes to the royal "audiencia ;" 7. Of the commission of causes in the same tribunal ; 8. Of citations and inhibitions ; 9. Of giving in the libel or demand ; 10. Of the "juramento de calumnia ;" 11. Of exceptions to prevent the "ingreso de la causa," and of "reconvencions ;" 12. "De altercats incidents" in the cause ; 13. Of delays, and "terminis probatoris e instructoris," (time given to bring in proofs, &c.) ; 14, 15. Of proofs and witnesses ; 16. Of the production of documents ; 17. Of "intimas ;" 18—21. Of denunciations, communications, memorials and relations "de processos ;" 22. Of points, &c. raised in the cause ; 23. Of the advocate being present and consenting, &c. ; 24. Of the general order of proceedings in courts ; 25. Of summary causes ; 26. Of mercantile causes ; 27. Of causes "formâ pauperis ;" 28. Of "terces opposants ;" 29. Of holidays, &c. ; 30. Of the royal archives ; 31. Of the custody of the proceedings [*processos*] in causes.

Vives has thirty-two titles in this book.

Book 4.—Tit. 1. Of oaths, voluntary and compulsory, and of the oath of allegiance, &c. ; 2. Of sequestrations and seizures ; 3. Of servitudes, waters, uncultivated lands, "baldios" and bridges ; 4. Of canals and conduits ; 5. Of hunting and fishing ; 6. Of fees, &c. ; 7. Of the fees received by the officers of the royal "audiencia," out of the general revenues of Catalonia ; 8. Of the fees for judgments, decrees, &c. ; 9. Of fees for writings of law proceedings, &c. ; 10. Of fees for "dietas ;" 11. Of the fees of the "calculadores ;" 12. Of the fees for writing wills, &c. ; 13. Of notaries and scriveners or writers, and their duties, &c. ; 14. Of the acts and writings of deceased notaries ; 15. Of the authority, date, &c. of deeds and writings ; 16. Of actions and obligations ; 17. Of debtors to corporations of towns, &c. ; 18. When the father is bound for the son ; 19. Of purchases and sales ; 20. Of usury, and of exchange or barter ; 21. Of hiring, lending, &c. ; 22. Of commerce, and of the safety of the roads ; 23. Of weights, measures, &c. ; 24. Of taxes, "gabelle," &c., and of things prohibited to be sent out of Catalonia ; 25. Of the dues, taxes, &c. of the "generalidad ;" 26. Of ships, gallies, and other barks ; 27. Of the king's ships, &c. ; 28. Of copyholds ; 29. "De homens propres, amasats, o borders, y de remensa ;" 30. Of tithes ; 31. Of the bank [*taula*] of Barcelona ; 32. Of deposits, bankers, &c.

Vives has thirty-five titles in this book.

Book 5.—Tit. 1. Of espousals and marriage ; 2. Of promises of dowery, and of donations “*propter nuptias* ;” 3. Of the rights of the widow on the dissolution of the marriage ; 4. Of guardians, &c.

Vives has the same number of titles in this book.

Book 6.—Tit. 1. Of testaments and other last wills ; 2. Of wards, substitutions, &c. ; 3. Of sons and fathers omitted in wills and disinherited ; 4. Of the succession to, or inheriting of, the property of intestates ; 5. Of the “*legitima*” and its division ; 6. Of those who are incapable of inheriting ; 7. Of the inventory to be made by the heir.

Vives has eight titles in this book.

Book 7.—Tit. 1. Of acquiring the property or dominion of things ; 2. Of prescription ; 3. Of sentences, judgments, &c. ; 4. Of the “*liquidations*” of sentences ; 5. Of the petition for revival of sentences ; 6. Of appeals, &c., and annulling sentences ; 7. When it is not allowed to petition for revival, nor to appeal ; 8. Of the costs of suits ; 9. Of the execution of sentences, and of surety or pledges for the same ; 10. Of execution on annuities, life annuities and “*scripturas de tercero* ;” 11. Of “*letras requisitorias de fadiga* ;” 12. Of the calling in of the secular power ; 13. Of places to receive goods taken in execution, &c. ; 14. Of putting debtors’ goods up to public auction.

Vives has fifteen titles in this book.

Book 8.—Tit. 1. Of disseizins, &c. and restitutions ; 2. Of duels and war ; 3. Of self-defence, &c. ; 4. Of public works, castles, &c. ; 5. “*De marchas y penyoraments per fadigas de justicia* ;” 6. Of matters in dispute ; 7. Of sureties, guarantees, &c. ; 8. Of the emancipation of children, &c. ; 9, 10. Of donations, and the revocations of them ; 11. Of the union of the kingdom of Majorca, with its islands, and of the city of Tolosa, to the king’s crown [of Aragon, Valencia, &c.]

Vives has the same number of titles in this book.

Book 9. Tit. 1. Of accusations, &c. ; 2. Of blasphemy, &c. ; 3. Of sacrilege ; 4. Of sodomy ; 5. Of murders, &c. ; 6. Of forgery, coining, &c. ; 7. Of falsification ; 8. Of adultery, fornication, &c. ; 9. Of robberies, thefts, &c. ; 10. Of the bankruptcy, absconding or concealment of traders ; 11. Of harbourers, &c., of malefactors ; 12. Of those accused of treason, &c. ; 13. Of challenges ; 14. When it is lawful for a man to avenge himself without having recourse to justice ; 15. Of injuries, wounds, &c. [This is a scale of fines for composition of various crimes, as murder, wounding, &c.] ; 16. Of gamblers, &c. ; 17. Of fugitive captives, &c. ; 18. Of gypsies, vagabonds, &c. ; 19. Prohibition to carry arms ; 20. Lambs under one year old not to be killed ; 21. Of different and extraordinary crimes, &c. ; 22. “*De sometent, sacramental, y hosts* ;” 23. Of arrests or captures ; 24. Of the custody of prisoners, and of gaolers, &c. ; 25. “*De causa recognoscendi* ;” 26. Of mainpernors ; 27. Of compoundings [of felonies, &c.] ; 28. Of torture [abolished throughout Spain, 25 July, 1814] ; 29. Of corporal punishments, and of fines ; 30. Of mourning ; 31. Of the punishment of judges decreeing unjustly, &c. ; 32. Of the goods of condemned persons.

Vives has thirty-three titles in this book.

Book 10.—Tit. 1. Of the fisc and its rights, &c. ; 2. Of money or corn, its value, &c. ; 3. Of aids for the king’s coronation and marriage, &c. ; 4. Of

the tax called "bouatye" or "bovage," and its remittal; 5. Of the remittal of the "monedatge, senas, albergas, quistias, y levas pias;" 6. Of the remittal of the "quint;" 7. Of the remittal of "bans y penas en Cortes;" 8. Of peace and truce; 9. Of the prorogation and perpetuation of acts of the Cortes; 10. Of the confirmation of the constitutions and privileges of Catalonia.

Vives has thirteen titles in this book.

Vol. 2.—The pragmatics, bulls, acts of the Cortes, &c.

Correspondence of books and titles with the books and titles of the constitutions above extracted.

Book 1.—The twenty-eight titles in this book correspond respectively with the following titles in Book 1 of the Constitutions above extracted;—those titles that are put in full are not in the Constitutions.

Titles 1, 4, 6; title 6, of those who enter into religious orders; 9; title 8, of the holy inquisition, its officers, &c. not in the constitution; 7, 14; title 13, the "costumbres de Barcelona;" title 14, of amends for wrongs; 19; title 16, of military privileges, &c.; 18, 23, 35, 39, 40; title 22, the "conservador general;" 43, 45; title 25, judges "de residencia;" 49, 57; title 28, of the treatment of foreigners.

Book 2.—The titles in this book correspond as follows:—3, 13, 4.

Book 3.—The titles in this book correspond as follows:—2, 4, 6, 9, 3, 15; title 7, of the order of proceedings in the court of the "veguer" and bailiff of Barcelona; 31.

Book 4.—The titles in this book correspond as follows:—2, 3, 6, 13, 19, 20, 21, 22, 24; title 10, of hearth-money; 27, 28, 29, 16; title 16, of corsairs.

Book 5.—The titles in this book correspond as follows:—1; title 2, of dotal privileges.

Book 6.—The titles in this book correspond as follows:—1; title 2, of legacies to pious uses; 5, 7.

Book 7.—The titles in this book correspond as follows:—5, 6, 9; title 5, of alienations to defraud creditors.

Book 8.—The titles in this book correspond as follows:—1, 5.

Book 9.—The titles in this book correspond as follows: 1, 5, 8; title 4, of bawds, &c.; 12, 13, 14, 11, 15, 19; title 11, of shipwreck; title 13, none to build on the sea-shore of Barcelona; title 13, of the healing of shipwrecked people; 24, 26, 15, 29, 31; title 21, of "bans" and pecuniary fines; title 22, "de annotatio de bens"; 32.

Book 10.—The titles in this book correspond as follows:—1, 3, 5, 6, 7, 8, 2.

Vol. 3.—The laws that are abrogated, &c. These are also divided into ten books as the others: the earliest of these laws, &c. is dated 1242.

TRADUCCION AL CASTELLANO DE LOS USAGES Y DEMAS DERECHOS DE CATALUÑA, que no estan derogados ó no son notoriamente inutilles, con indicacion del contenido de estos y de las disposiciones por las que han venido a serlo, ilustrada con Notas sacadas de los mas clasicos Autores del Principado. Por el Doctor

D. Pedro Nolasco Vives y Cebriá, Relator de lo Civil en la Real Audiencia del Principado. 4 Vols. 4to. Barcelona, 1832.

A translation into Spanish of the usages and other rights of Catalonia, which have not been abrogated, or are not manifestly useless. Such of the laws, &c. as have been repealed are carefully noticed (though briefly at times) by the author, with a reference to the laws repealing or altering them.

This translation and edition of the laws, &c., of Catalonia, is a necessary appendage to the above edition of 1588; it contains great additions, and the notes are of the most valuable kind.

The editor and translator has not translated the whole contents of the Constitutions and Pragmatics, &c. contained in the 1st and 2nd volumes of the edition of 1588, but he has noticed those not translated by him. The reason assigned for not translating them is, that they are now no longer in force. He has carefully throughout his translation noticed by what after laws those omitted to be translated by him, as well as some of the other laws, have been abrogated, amended, &c.

The first three volumes contain the Constitutions of volume 1 of the "Recopilacion" of 1704 (the last), with the additions referred to, in the extracts given above, of the edition of the "Recopilacion" of 1588.

The 4th volume comprises the Pragmatics, &c., the translator observing the same rules as to non-translation, &c., as observed in the other volumes.

Each volume has an index of the books, titles, &c., and (except the 1st volume) an appendix; the 3rd volume has an index of the titles of the 1st volume of the last "Recopilacion" of these laws in 1704, which is also an index of the titles in the first three volumes of this edition.

The 1st volume contains a valuable historical account of the various compilations (3) of these laws; with remarks on the difference of the laws, &c., themselves. It also contains an epitome of the genealogy of the counts of Barcelona, and the subsequent kings of Spain, with lists of such of the laws as were respectively enacted by them and the different Cortes, together with a copy of the decree of King Philip V., dated 1716, with notes.

Volume 4 contains a chronological index of the Pragmatics, &c., in the same manner as of the Constitutions.

The 3rd volume (of the repealed laws) is not noticed by him.

ORDINACIONS, y Sumarè dels Privilegis, Consuetuts, y Bons Usos del Regne de Mallorca. Donats a la Estampa per Antoni Moll, Notari, Sindich, y Archiver perpetuo de la Universidad de dit Regne. Folio. Mallorca, 1663.

Regulations, privileges, franchises, &c., peculiar to the quondam kingdom of Majorca, which also formerly belonged to the kingdom of Aragon. Contents:—
73 regulations in Latin (commonly called Mossen Pelay's), made by the jurats of the kingdom in 1413.

17 regulations in the Limousin or Catalanian dialect, (commonly called Mossen Berenguer's), made by the jurats of the city and kingdom in 1439, with a confirmation by King Alfonso V. of Aragon.

18 new ordinances of the year 1439. Other regulations under the name of "Capitols," in the year 1439, in Catalanian.

Corrections of the last regulations. Ordinances (commonly called Rodrigo Falco's).

Rules of court, dated 1340, (commonly called Mossen Abril's,) in Latin, 49 in number.

Pragmatic sanction for the establishment of the royal "Audiencia" in the kingdom of the Balearic Isles, in Latin; with the rules of court and forms in Catalanian.

A summary or repertory, in alphabetical order, of the franchises, &c., in Catalanian.

An index.

GAMBOA (Don Francisco Xavier de), Commentaries on the Mining Ordinances of Spain. Translated from the original Spanish by Richard Heathfield. 2 vols. 8vo. London, 1830.

The original work was published in 1761. The title is "Comentarios à las Ordenanzas de Minas." These laws were in use in the Spanish colonies of America, and are still in use there, with such modifications made by the several independent states that formerly constituted the Spanish dominions there, as are pointed out by the translator in his preface.

The author was born at Guadalaxara in New Spain. He was appointed to the office of regent of the "Audiencia" of Mexico, and died in the reign of Charles III.

The number of the "Ordenanzas" is 83: the work is divided into 28 chapters.

The author conveys all the information that can be desired on the subject, whether in a scientific or legal view; he descends into the utmost minutiae in every thing relating to the mines themselves and their produce. The most prominent features in the 1st volume are the royal prerogative as to mines of gold, silver and other metals; quicksilver mines, the number of mines, and the duties on the produce; registry of mines; consulate of Mexico; discoverers of mines; boundaries, &c. of mines, partnerships in mines.

Vol. 2 contains,—proceedings in cases of the discovery of mines; privileges of miners; a most minute account of the working of the mines, &c.; criminal and civil jurisdiction in suits concerning mines; the signification of some obscure words; a list of mining districts in New Spain; an index of contents.

See the following article.

REALES ORDENANZAS para la Direccion, Régimen y Gobierno del important Cuerpo de la Minería de Nueva-España, y de su Real Tribunal general. De orden de su Magestad. Fol. Madrid, 1783.

Royal ordinances for the government of the important body of mine-holders, &c. [mineria] of New Spain, and of their general royal tribunal.

The king's approbation, &c.

An index of the titles.

The ordinances are comprised in 19 titles, and the number of articles into which they are divided is 320.

Tit. 1. Of the general tribunal of the "Mineria" of New Spain; 2. Of the judges, and of the deputies of the "reales" of mines; and of the "junta" of mines; 3, 4. Of the jurisdiction in mine causes, and of the manner of proceeding therein; 5. Of property in, or dominion over mines, the granting of it to private individuals, and of the fees or payments to be made by them on that account; 6. Of the manner of acquiring mines, and of newly discovered mines; mines abandoned, &c.; 7. Who may discover, &c., and work mines; 8. Of the boundaries, &c., of mines; 9. Of the working and strengthening of mines; 10. Of the water in mines; 11. Of partnerships in mines; 12. Of miners; 13. Of water and provisions for the "minerías;" 14. Of the purchasers, &c., of the metals; 15. Of the "aviadores," and of the bullion merchants; 16. Of the advancing of funds for the opening, &c., of mines; 17. Of the arts necessary to be learnt in the working of mines; 18. Of the education of young persons who are engaged in the working, &c., of mines; 19. Of the privileges of miners.

QUADERNO de Leyes, y Privilegios del Honrado Concejo de la *Mesta*, con Indice y Concordantes de Leyes Reales, Autos Acordados, y Capítulos de Millones. Colocado de orden de el Real y Supremo Consejo de su Magestad: por el Licenciado Don Andres Diez Navarro, Abogado de los Reales Consejos, y Fiscál General del referido Concejo de la Mesta. Dedicado al mismo Consejo del Rey nuestro Señor. Contiene tambien un Resumen de la Concordia con el Reyno, y Anotaciones a cada uno de sus Capítulos. Fol. Madrid; 3 Parts in 1 Volume, 1731.

This is a collection of the laws and privileges of the corporation of proprietors of black cattle and sheep in Spain; and distinguished as a body by the name of the "mesta."

The definition of this word "mesta" by the Spanish academy in their dictionary, is,—“The corporation or ‘junta’ of the owners of black cattle and sheep, who have the care of their breeding and feeding, and who sell them for their common benefit.”—“The meeting is called by this name (mesta), which the herdsmen and shepherds [pastores], and owners of black cattle and sheep, hold every year to deliberate on matters touching their herds and flocks, and the management of them; and to distinguish and separate those that are without owners, which have got mingled with theirs, and which they mark with some mark to distinguish them from the others. This corporation or ‘junta’ is called the honourable council of the ‘mesta.’ An officer [ministro] of the council presides over it, who is called the president of the “mesta.”

“‘Cabaña’ means the ‘ganado merino,’ that is, flocks of sheep moving from pasture to pasture. It also means the number of sheep which belongs to any one individual, and which at the least ought to be 200 in number, to entitle the owner to be called ‘Ganadero’ of the royal ‘Cabaña’; and they are subject to it.”

“Cabaña real” means the “corporation or brethren of the honourable council of

the 'mesta,' established for the conservation of the 'ganado merino' of the whole kingdom; they have many privileges."

The 1st part contains a chapter on the antiquity and use of herds and flocks in Spain, and the "mesta;" and also a notice as to the times when the various privileges (amounting to 64) were granted by the different kings; then follow the privileges, confirmations, &c.; an agreement entered into with the "mesta" on points of jurisdiction, &c.

Part 2 contains 52 laws with additions.

Part 3 is a copious index and concordance.

This edition is much fuller than that of 1681, fol. Madrid.

COLECCION DE REALES DECRETOS Y ORDENES pertenecientes à la *Real Hacienda*, desde el 6 de Mayo de 1823 hasta el fin de 1824. 5 vols. sm. 4to. (in 3 vols.) Madrid, (Imprenta Real,) 1826—9.

A Collection of Royal Decrees, Orders, Circulars, &c. concerning the Royal Treasury or Exchequer, from the 6th April (not May, as in the title page), 1823, till the 31st December, 1828.

These decrees comprise all subjects connected with the public revenue, as custom-houses, duties, the army, the clergy, &c. There are many folding plates of forms, &c.

The total number of decrees, &c. for the six years is 1658.

Each volume has an index of the decrees, &c.

RECOPILACION de Leyes de los Reynos de las Indias. Mandadas imprimir y publicar por la Magestad Catolica del Rey Don Carlos 2. 3rd edition, 4 vols. fol. Madrid, 1774.

This collection of laws is peculiarly applicable to all the colonies of Spain (though much is now quite useless); and in addition to these, the laws in use in the mother country are also in use in the colonies, as far as local circumstances and the change of government will allow. All these laws are also in use in the English Island of Trinidad, and in the State of Louisiana.

Summary.

It is divided into 4 volumes and 9 books; each book is subdivided into *titulos* and laws. Volume 1 contains 2 books, the first of which treats of church matters and of universities; the 2nd book treats of the laws and tribunals.

Vol. 2 contains 5 books (the 3rd, 4th, 5th, 6th and 7th); the 3rd treats of the king's jurisdiction, war, castles, &c.; the 4th of discoveries by land and sea, of Indian settlements, and the government of cities, &c.; the 5th, of governors, physicians, and law proceedings; the 6th, of the Indians in general, of their settlements, their freedom, of persons appointed to protect them; of their *caciques*; of the distribution and charge of them; of their services which may be required in mines, &c., and how they are to be paid; of the Indians of Chili, &c.; of the "Sangleyes," Chinese, &c. in the Philippine islands, &c.; the 7th book is very miscellaneous,

treating of judges in commission, gypsies, mulattos, "mestijos," &c., prisons and punishments.

Vol. 3 is divided into 2 books (the 8th and part of 9th); the first of which treats of the king's exchequer or treasury, and the officers; of treasure-trove, auctions, customs, duties on imports and exports, the sale of offices, vacant bishoprics, &c.; the 9th book, of the tribunal or hall of commerce [*casa de contratacion*] at Seville; of provisioning, &c. the armadas and fleets; of pilots; and of the navigation school.

Vol. 4 continues part of the 9th book, which treats of licences to go to India; ship building and registering; dispatch or advice packets; of the navigation of the Windward Islands, the Canaries and the Philippines; of insurances.

Vol. I., Book 1. Tit. 1. Of the Holy Catholic Faith; 2. Of cathedral and parish churches; 3. Of monasteries for both sexes, charitable institutions, and asylums for female orphans; 4. Of hospitals and confraternities; 5. Of the immunity of churches and monasteries, and that in this matter regard be had to the laws of the kingdom of Spain; 6. Of the king's right of patronage in the Indies; 7. Of archbishops, bishops, and ecclesiastical visitors; 8. Of provincial and synodal councils; 9. Of bulls and briefs; 10. Of ecclesiastical judges and conservators; 11. Of the dignitaries and prebendaries of the metropolitan churches and cathedrals of the Indies; 12. Of the clergy; 13. Of parish priests, preachers, missionaries, &c.; 14. Of the religious [professed]; 15. Of the religious [professed] being preachers; 16. Of tithes; 17. Of the ecclesiastical "mesada" [a duty on church benefices, &c. payable to government]; 18. Of burials and church fees; 19. Of the tribunal of the Inquisition, and its officers; 20. Of the Holy "Cruzada"; 21. Of the friars mendicant, and of alms; 22. Of universities, &c.; 23. Of colleges and seminaries; 24. Of the books which are printed and sent to the Indies.—This book contains 635 laws.

Vol. I., Book 2.—Tit. 1. Of the laws and the king's orders, edicts and ordinances; 2. Of the royal council and "junta" of war of the Indies; 3. Of the president and royal council of the Indies; 4. Of the grand chancellor and registrar of the Indies, and his deputy in the council; 5. Of the "fiscal" of the royal council of the Indies; 6. Of the secretaries of the same; 7. Of the treasurer-general of the same; 8. Of the "Alguacil mayor" of the same; 9. Of the reporters [relatores] of the same; 10. Of the "escribano de cámara" of the same; 11. Of the "contadores" of the same; 12. Of the head historiographer of the same; 13. Of the cosmographer and professor of mathematics of the same; 14. Of the alguazils, advocates, attornies and proctors, porters, assessors [or taxing masters], and the other officers of the same; 15. Of the royal "audiencias" [courts of law] and "chanceries" of the Indies; 16. Of the presidents and "oidores" of the royal "audiencias" and chanceries of the Indies; 17. Of the "alcaldes del crimen" [justices] of the "audiencias" of Lima; 18. Of the fiscal officers of the royal "audiencias" and chanceries of the Indies; 19. Of provincial tribunals of the chancery judges [oidores] and the [justices] of the same; 20. Of the "alguaciles mayores" of the "audiencias"; 21. Of the deputies of the grand chancellor of the royal "audiencias" and chanceries of the Indies; 22. Of the reporters of the same; 23. Of the "escribanos de Cámara" of the royal "audiencias" of the Indies; 24. Of the advocates of the royal "audiencias" and chanceries of the Indies; 25. Of the receivers, and fines of the "Cá-

maras," the expenses of the court and justice, and "obras pias" [pious works] of the royal "audiencias" of the Indies; 26. Of the appraisers and "repartidores" of the royal "audiencias" and chanceries of the Indies; 27. Of the ordinary receivers, and their "repartidor" of the same; 28. Of the attornies and proctors of the same; 29. Of the interpreters, &c.; 30. Of the porters and other officers of the same; 31. Of the "oidores," ordinary visitors of the districts of the same; 32. Of the judge, and the tribunal for adjudication as to the property of deceased persons, and their administration and account, in the Indies, in the fleets and on board ship; 33. Of inquiries into, and final opinions on, the merits of those who serve the crown, with a view to their reward; 34. Of visitors-general, &c.—This book contains 1143 laws.

Vol. II., Book 3.—Tit. 1. Of the king's seignory and jurisdiction in the Indies; 2. Of the granting of offices, salaries, remunerations, &c.; 3. Of the viceroys and president-governors; 4. Of war; 5. Of arms, powder and ammunition; 6. Of works and fortifications; 7. Of castles and fortresses; 8. Of governors of castles, and "alcaldes" of castles and fortresses; 9. Of the garrisoning and situation of garrisons and fortresses; 10. Of captains, soldiers and artillery-men; 11. Of law suits, &c. among the soldiers; 12. Of the pay, remuneration and extra-pay of the soldiers, &c.; 13. Of corsairs and pirates, and as to prizes, and of trading with foreigners; 14. As to the general reports to be transmitted to the king; 15. Of precedence, ceremonies and observances; 16. Of letters, couriers and Indian "chasquis" [couriers].—This book contains 532 laws.

Book 4. Tit. 1, 2, 3.—Of discoveries by sea and land; 4. Of treating amicably with the natives; 5. Of settlements, &c.; 6. Of discoveries, settlers &c.; 7. Of the population of cities, towns and districts; 8. Of cities and towns, and their pre-eminence; 9. Of meetings and councils; 10. Of the elective officers of the councils, &c.; 11. Of the general and private "procuradores" of cities and districts, &c.; 12. Of the sale, distribution and division of lands, sites and waters; 13. Of corporation or town lands and public granaries; 14. Of public store-rooms; 15. Of the assize, and of imposts and contributions; 16. Of public works; 17. Of public roads, inns, public-houses, &c., boundaries, pastures, or feedings, mountains and hills, waters, forests and vineyards; 18. Of the commerce and productions, &c., of the Indies; 19. Of the discovery and working of mines; 20. Of mines and quicksilver dealers, and their privileges; 21. Of the "alcaldes mayores" and "escribanos" of the mines; 22. Of the assay, font, and marking of gold and silver; 23. Of mints and their officers; 24. Of the value of gold, silver, and money, and the traffic in them; 25. Of the fishing for, and the carrying of pearls, and of the search for precious stones; 26. Of manufactures.—This book contains 414 laws.

Book 5.—Tit. 1. Of the bounds, division, and aggregation of the governments; 2. Of the governors, "corregidores," "alcaldes mayores," and their deputies and "alguaciles;" 3. Of the ordinary "alcaldes;" 4. Of the provincial "alcaldes," and "alcaldes" of the Holy Brotherhood; 5. Of the "alcaldes" and members of the "mesta" [body of sheep owners, &c.]; 6. Of the royal or head physicians, physicians, surgeons and apothecaries; 7. Of the "alguaciles mayores" and others in cities, &c.; 8. Of the public and royal "escribanos," of councils, &c., and of those of "el numero,"

and of ecclesiastical notaries; 9. Of disputes as to jurisdiction or authority; 10. Of law suits and sentences; 11. Of exceptions to the tribunals, &c.; 12. Of appeals and petitions; 13. Of "segundas suplicasiones;" 14. Of delivery of possession and executions; 15. Of the accounts to be rendered [residencias], and of the judges who are to take them.—This book contains 310 laws.

Book 6.—Tit. 1. Of the Indians; 2. Of the freedom of the Indians; 3. Of the forcing of the Indians to dwell together in large bodies, and of their conversion; 4. Of the lists and books of the property in common belonging to the Indians; 5. Of their tributes and taxes; 6. Of their protectors; 7. Of the Caciques; 8. Of the distribution, charge, and keeping of the Indians, &c.; 9. Of those who have the charge or keeping of Indians [encomienda]; 10. Of the good treatment of the Indians; 11. Of the descent, &c. of "encomiendas" of Indians; and of the remuneration, &c. of those who have "encomiendas" of Indians; 12. Of the personal services of the Indians; 13. Of their services in their rustic habitations, in vineyards, olive plantations, manufactories, shops, &c.; and in respect of herds, flocks, &c.; 14. Of their services in respect of "coca" and indigo; 15. Of their services in mines; 16. Of the Indians of Chili; 17. Of the Indians of Tucuman, Paraguay, and Rio de la Plata; 18. Of the Chinese, &c. [Sangleys]; 19. Of the confirmation of "encomiendas," "pensiones," rents, &c. and appropriations.—This book contains 555 laws.

Vol. 2. Book 7.—Tit. 1. Of examiners and judges "de commision;" 2. Of games and gamesters; 3. Of married people, and of the betrothed being absent in Spain; 4. Of vagabonds and gypsies; 5. Of mulattos, negroes, Berberiscos, [Moors, Morenos], Zambaigos, Mestizos, Loros [q. creoles, i. e. between white and black], Cimarrones [wild negroes]; 6. Of gaols and gaolers; 7. Of inspections of gaols; 8. Of crimes and punishments.—This book contains 151 laws.

Vol. 3. Book 8.—Tit. 1. Of the tribunals or offices of accounts [contadurias de cuentas] and their officers; 2. Of the officers of accounts, vacant offices, and the "ordenadores;" 3. Of the offices of the royal treasury or exchequer; 4. Of the royal officers and accountants of tributes, their deputies and guards, &c.; 5. Of the "escribanos" of mines and registers; 6. Of the king's "caxas;" 7. Of the king's books; 8. Of the administration of the royal exchequer; 9. Of the Indian tributes belonging to the crown, and the proceeds of the vacant "encomiendas" of Indians; 10. Of the royal "quinto" [or right to a 5th]; 11. Of the administration of mines, and of the sending of copper to Spain, and of sulphur mines; 12. Of treasure trove, deposits, escheats, &c.; 13. Of duties on sales; 14. Of the customs; 15. Of the duties on exports and imports; 16. Of valuations, and general and private "afueros;" 17. Of "descaminos extraviados" and "commissos," [seizures, confiscations, &c.]; 18. Of the laws as to slaves; 19. Of the "media annata;" 20. Of the sale of offices; 21. Of the renouncing of offices; 22. Of the confirmation of offices; 23. Of "estancos;" 24. Of "novenos" and the vacancies of bishoprics; 25. Of auctions; 26. Of salaries, extra pay, &c.; 27. Of appropriations; 28. Of pay orders; 29. Of accounts; 30. Of the remittance money, &c. to Spain.—This book contains 506 laws.

Book 9.—Tit. 1. Of the king's "audiencia," and tribunal or hall of commerce at Seville; 2. Of the president and judges of the same tribunal or hall; 3. Of judges "estrados," the *fisc*, solicitor and reporter of the same; 4. Of the judge official who resides in the city of Cadiz; 5. Of the judge official and consul who go to the ports on the departure of the fleets and armadas; 6. Of the prior and consuls and corporation of "caregadores" to the Indies, belonging to the city of Seville; 7. Of the head courier [*correo mayor*] of the tribunal or hall of commerce [at Seville]; 8. Of the office for ascertaining average [*averia*], and the deputy officers; 9. Of contributions in respect of average; 10. Of the "escribanos" of the "Cámara" and other "escribanos" and the "repartidor" of the tribunal or hall of commerce at Seville; 11. Of the *alguaciles*, porters and other officers of the same; 12. Of the prison, the *alcaide*, and gaolers belonging to the same; 13. Of the bullion merchants; 14. Of the property of persons deceased in the Indies, and its administration and accountableness in the same tribunal; 15. Of the generals, admirals, and governors of the fleets and armadas of the Indies; 16. Of the inspector and accountant of the armadas and fleets, and the officer or clerk of the inspector; 17. Of the purveyor, and the provisioning of the armadas and fleets; 18. Of the paymaster of the same; 19. Of the storekeeper [of provisions]; 20. Of the head writer or clerk [*escribano mayor*] of the armadas, and the clerks [*escribanos*] of ships and rations; 21. Of the captains, ensigns, serjeants and soldiers, and of their transport and lodging; 22. Of the captain-general of the artillery, and the artillery-men of the armadas and fleets; artillery, arms and ammunition, &c.; 23. Of the chief pilot and cosmographers; and of the other pilots of the Indies, and of the masters of boats to load and unload, &c.; 24. Of the masters or keepers of bullion [to be sent to Spain on the king's account]; 25. Of ships, rations, &c.; of the navigation school, &c.; 26. Of voyages to and from the Indies, and of licences; 27. Of foreigners who go to the Indies, and their location, and the right which they acquire of trading, &c.; 28. Of ship builders and caulkers, and of ship building and caulking, and their gauging, admeasurement, &c.; 29. Of the tackle, &c. of the ship; 30. Of the armadas and fleets; 31. Of their gauging and freight; 32. Of provisioning, &c. the armadas and fleets; 33. Of the registry, &c.; 34. Of loading and unloading ships; 35. Of the inspection of ships in Spain and the Indies, and of the "guardas mayores" and others; 36. Of the navigation and voyage of the armadas and fleets; 37. Of the advice boats or *pacquets* which are sent to the Indies, or from thence to Spain; 38. Of vessels arrived in port or driven out of their course, and lost; 39. Of the assurers, risks, and insurances of the voyage to the Indies; 40. Of the "jueces oficiales" of the registries of the Canary Isles; 41, 42. Of the commerce and navigation of the Canary and Windward Isles and of licences; 43. Of the ports; 44. Of the armadas in the South Seas; 45. Of the navigation and commerce of the Philippine Islands, China, New Spain and Peru; 46. Of the consulates of Lima and Mexico.—This book contains 1859 laws. The whole number of laws is 6105. A copious general index.

CODIGO DE LAS COSTUMBRES MARITIMAS DE BARCELONA, hasti aqui vulgarmente llamado "LIBRO DEL CONSULADO." Nuevamente traducido al Castellano: con el Testo Lemosin restituído a su original integridad y pureza; é ilustrado con varios apéndices, glosarios, y observaciones historicas. Por D. ANTONIO de CAPMANY y de Monpalan, Secretario perpetuo de la Real Academia de la Historia. 4to. Madrid, 1791.

The best edition of this celebrated code of maritime laws, for distinction's sake called "El Libro del Consulado," or "El Consulado," only.

It is the oldest collection of nautical laws extant in modern Europe, and was compiled by order of the "prohoms" or magistrates of Barcelona, about the year 1258, as a code whereby to decide all mercantile disputes. By the consent of all commercial nations it is allowed to be the general rule or law in nautical affairs.

It was first printed at Barcelona, in 1494, under the title "Libre de Consolat," in the Limosin dialect, used in France and Catalonia, and which dialect is akin to Provençal.

This edition has the Catalanian text, and a translation in Spanish.

It is divided into 3 parts: the 1st contains the text in 251 chapters. The translations in Italian contain 294 chapters, 43 of which relate to the jurisdiction of the consuls: an analysis of them is given here.

Part 2 contains 35 chapters on the jurisdiction of the consuls, glossaries, &c.

Part 3 is an appendix of numerous documents concerning sea matters, among which are to be found the 8 chapters to complete the number 294.

THE CODIGO.

A prologue by the editor.

An introduction.

Then 14 titulos, containing 251 chapters.

Tit. 1. On the duties of the captain (patron in the Mediterranean), the ship-builder and ship-owners, 15 chapters; 2. The duties of the mate, the scrivener or writer, and other sea-officers, 7 chapters; 3. Of the duties of the captain and crew to one another, 71 chapters; 4. Of acts, contracts, &c. relating to freightment, &c. 31 chapters; 5. Of the cargo, stowage, and unloading of the merchandize, and of the losses occasioned thereby, 22 chapters; 6. Of partnerships for a particular voyage, &c., 18 chapters; 7. The rules and regulations of anchorage in the roadstead, strand or shore, and in port, 9 chapters; 8. Of the mutual duties of the captain, merchants and passengers on board, 17 chapters; 9. Of impediments to the voyage, &c. 23 chapters; 10. Of convoys, their regulations, &c., 3 chapters; 11, 12. Throwing overboard, and averages, 26 chapters; 13. Mutual duties between the captain and owners; 14. The fulfilment of contracts for the purchase and sale of merchandize: good faith to be observed.

The 43 chapters in the translations.

Chap. 1. Of elections of consuls and judges of appeals every year; 2. Oath of the consuls; 3. Presentation of the judge of appeals; 4. The notary or

scrivener to the consul and judge of appeals; 5. The form of the consul's seal; 6. The change of consuls and judges; 7. The consuls and judges may appoint others in their stead; 8. The forms of proceedings used by the consuls; 9. No recantation by witnesses allowed; 10. Sentences to be in writing; 11. Appeals; 12. Method of proceeding by the judge of appeals; 13. No new matter allowed to be produced in appeals; 14, 15. Proceedings and sentences in appeals; 16. Of exceptions to the court; 17. Of proceedings not in writing, and of judgments; 18. Of appeals from decrees which are not of writing; 19, 20. Costs of the suit and appeal; 21. Proceedings before one of the consuls; 22. Causes within the jurisdiction of the consuls; 23. Of execution of the sentence; 24. Of execution on the goods of the condemned; 25. Of the creditor who cannot give security; 26. Execution against the lands of the condemned; 27. Of the patron or captain who demands his freight; 28. Of the sailors' wages; 29. Of execution against the captain; 30. Of security to be given for costs, &c.; 31. The consul's authority; 32. Executions against new ships; 33. If the ship is sold after the voyage, who is to be paid first; 34. The captain's wife to be paid first; 35. The consuls ought to decide suits; 36, 37. The fees of consuls and judges of appeals; 38, 39. Of suspicions of partiality against the consuls and judges of appeals; 40. The consuls should give judgment according to the "customs of the sea;" 41. Sequestrations; 42. Ordinance of King James as to advocates' oaths.

Here ends the jurisdiction of the Consul's Court.

43. The measures used at Alexandria; 44. Here begin the good customs of the sea, &c.

There are 2 translations in Italian of this code of maritime laws; one in 4to. Venezia, 1668.

This contains the ordinances of several other states, and a port guide to the principal sea-port towns in the world.

The other is in 4to. Leyden, 1704, and has a Dutch translation on the opposite page.

It contains also Spanish ordinances relating to sea matters, from 1340 to 1481; a guide to the ports, &c.

Each of these translations has 294 chapters, and each begins with the 43 chapters relating to the consul's jurisdiction.

Cesaregi's edition, in Italian, has a comment.

It is to be observed, that the word *mercader*, generally translated *merchant*, means not only merchant or dealer, but also freighter, factor, supercargo, agent, &c.

REDACCION DEL CODIGO CIVIL DE ESPAÑA, esparcido en los diferentes Cuerpos del Derecho y Leyes sueltas de esta Nacion; escrito bajo el metodo de los Codigos modernos, por EL LIC. D. PABLO GOROSABEL, Abogado de los Reales Consejos. Sm. 8vo. Tolosa, 1832.

A compilation of the civil code of Spain, taken from the various laws scattered in the different bodies of laws, &c. of the nation. This is an attempt to form a

code of civil laws for Spain, after the manner of the various modern codes of Europe. It is not a legislative enactment.

In his preliminary discourse the author gives an account of his plan.

The code consists of 3 parts, which are divided into titles, chapters, sections, and laws. The number of the latter is 1419.

Part 1. treats of the domestic state.

Part 2. of things, and the rights incident to them.

Part 3. of the means of acquiring property.

A preliminary title on the force of the enactments in this code.

Part 1. The Domestic State.—Tit. 1. Of the marriage state; 2. Of the paternal state, emancipation, &c.; 3. Of the state of guardianship, and of administration and accounts.

Part 2. Things, and the Rights incident thereto.—Tit. 1. Of the division of things; 2. Of the dominion of property, or ownership; 3. Of usufruct, use, and habitation; 4. Of "mayorazgos," (a sort of entail): they may be barred; 5. Of copyholds [enfiteusis]; 6. Of dower and paraphernalia; 7. Of servitudes, both urban and rustic.

Part 3. The different Ways of acquiring Property.—Tit. 1. Of occupation; 2. Of contracts and obligations in general; 3. Of contracts whose object is the acquisition of property; 4. Of contracts, whose object is the acquisition of the use, as loans, &c.; 5. Of contracts whose object is the acquisition of security, as pledges, &c.; 6. Of contracts whose object is to acquire or obtain some service, as deposits, &c.; 7. Of donations "inter vivos," and of wills; 8. Of prescription; 9. Of successions to the property of intestates; 10. Of the preference given to creditors over the property of their common debtor.

An index of titles, &c.

HISTORIA DEL DERECHO ESPAÑOL, por DON JUAN SEMPERE. De orden del Gobierno. 2 vols. 4to. Madrid, 1822-3. Imprenta nacional.

A History of the Laws of Spain. This history is divided into four books, and subdivided into 102 chapters: there are two prologues. The prologues are partly biographical, and contain an account of the author's various productions: the chief of them are inserted in this catalogue. Sempere is considered a writer of authority.

Book 1.—Chap. 1. The sources of the laws of Spain, namely, the Roman law, and the usages or customs of the Goths: a glance at the Roman Legislation under the kings and the commonwealth; 2. View of the imperial government of Rome; the perpetual edict; the Gregorian, Hermogenian and Theodosian codes; the digest, the institutes and the codex; 3. State of Spain under the Romans; 4. Customs of the primitive Goths; 5. Foundation of the Spanish monarchy; 6. Innovations in the primitive customs of the Goths; 7. Policy of the Gothic kings; Euric's code; 8. Frightful picture of the Gothic kings; struggles of the nobles; the "breviarium" of Anianus, otherwise called "Alaric's code;" 9. The palatine office among the Wisigoths; Euric's code amended by Leowigild; 10. The preponderance of the clergy in civil matters; new constitution

formed in the third council of Toledo ; 11. Progress of the theocracy ; alteration in the succession to the crown ; the clergy exempted from taxes ; 12. Policy of the Gothic clergy ; 13. Observations on the councils of Toledo ; 14. Of the council, and of the king's authority in the Gothic monarchy ; 15. Of the Gothic magistrates : the difference in law proceedings among the Romans and Goths ; royal court, appeals, judges, false witnesses ; 16. The "Fuero Juzgo;" difference of opinion as to this code, with a specimen of its style ; 17—27. These 11 chapters are taken up with an analysis of the 12 books of the "Fuero Juzgo," and they contain many very valuable remarks ; 28. Ecclesiastical laws of the Gothic monarchy.

Book 2.—Chap. 1. Causes of the ruin of the Gothic monarchy ; wise policy of the Arabs in their conquest of Spain ; 2. The discord among the Arabs favourable to the re-conquest of Spain by the Christians ; re-establishment of the court and Gothic government by Alfonso the Chaste ; 3. The legislation of Spain in the middle ages different from the Gothic laws ; confusion of the law ; arbitrary decisions ; duel or judicial combat ; 4. Innovations in the Gothic laws ; beginning of the aristocracy ; military laws ; 5. Progress of the aristocracy ; the "ricos hombres;" the nobility ; seignorial rights ; 6. Of the feudal government, &c. ; 7. Efforts of the Spanish kings to strengthen the monarchy ; 8. Remarks on the "Fuero" of Leon ; 9. History of the "Fueros;" 10. Conquest of Toledo ; "Fueros" granted by Alfonso VI., VII., and VIII. ; 11. Carelessness of the Spaniards in the publication of their "Fueros;" 12. State of the Spanish monarchy on the accession of Alfonso VII. ; 13. Variations in the fundamental laws concerning the succession to the crown ; 14, 15. Increase of the nobility ; 16. Origin of the representation of the people, &c. ; 17. Additional rights acquired by the nation. Creation of "gremios," "cofradías," and "hermandades;" 18. Variations in the Spanish ecclesiastical law ; 19. Of the subjection of the clergy to the civil power ; 20. Resistance of the old Spaniards to the new ultramontane jurisprudence ; 21. Of ecclesiastical mortmain, &c. ; 22, 23. Of decretals, &c. ; prohibition to cite the "decretum" and the decretals.

Book 3.—Prologue. Chap. 1. Restoration of the Roman law in the west ; 2. The "Partidas;" their origin ; 3, 4. Criticism on the "Partidas;" the changes effected thereby ; 5. Doubts as to the authority of the "Partidas" in their first state ; 6—9. Analysis of the first three "Partidas;" 10. On the university of Salamanca ; 11. On some peculiar canons ; 12. Complaints of the kingdom touching abuses of ecclesiastical authority ; 13. Complaints of the clergy against the violence of the lords, &c. ; 14. Petitions of the Cortes on church matters ; 15. Decrease of the royal authority during Henry III.'s reign ; 16. State of the ecclesiastical and civil powers during Henry IV.'s reign ; 17. Firmness of the Spanish kings in defence of the civil power ; 18. The "Ordenamiento" of Alcalá ; 19. Of the rights of the lords in the 14th and 15th centuries ; 20. Of the rights of the nation in general ; 21. Of the privilege of "la union" enjoyed sometime by the Aragonese;" 22. Of municipal government ; of the ancient municipalities of Toledo, Cordova, Seville, Murcia and Madrid ; 23. Of the ancient Cortes of Castile ; 24. Variations in the ancient forms of the Cortes ; 25, 26. Of the royal council, commonly called the Council of Castile, its origin, &c.

Book 4.—Chap. 1. Lamentable state of the Spanish monarchy and laws at the beginning of the reign of Ferdinand and Isabella; 2. Laws of Toro; 3. Attempts made by the nobility and the nation in general to recover their former rights; 4, 5. Reign of Charles V.; the corporations [comunidades] of Castile; 6. Projects of the Cortes to abridge law proceedings; 7. Petition of the Cortes of 1523 for the compilation of a new code; 8. View of the reign of Philip II.; 9. Idea of a jurisconsult of the 17th century; 10. Of the Spanish laws during the reign of Phillip III.; 11. The ministry of the Count-Duke of Olivarez; 12. Reign of Charles II.; 13. View of the various epochs of the history of Spain till the 19th century; wise policy of the Bourbons; 14. Representation of the council of Castile to Philip V.; 15. Disagreement between the Courts of Madrid and Rome in 1709; 16. New organization of the royal council in 1713; 17. Cortes of 1713; new fundamental law on the succession to the crown; 18. The ministry of Alberoni; 19. Project of a new code; 20. Spanish jurisprudence in the reign of Charles III.; 21. Theses against "regalias," &c.; 22. Encouragement given to the law, &c. in Charles III.'s reign; 23. Prejudices of foreigners in respect of the character and genius of the Spaniards; the "Novísima Recopilacion."

SOTELO, HISTORIA DEL DERECHO REAL DE ESPAÑA.

8vo. Madrid, 1821.

History of the Laws of Spain. The work is divided into three books. The first, containing seven chapters, gives an account of a few usages and customs previously to the subjection of Spain to the Romans.

In the second book, consisting of twenty-five chapters, the author shows that the Spaniards were governed by the Roman laws. He then notices the invasion of the Goths, the laws made by their various kings down to Roderick; the "Fuero Juzgo;" the makers of the "Fuero Juzgo;" the Gothic government.

In the third book, the author treats of the invasion by the Arabs; the beginning of the revival of the monarchy under Pelayo; the different collections of "Fueros," general and particular, and fully of the "Partidas." This book contains nineteen chapters.

At the end of the volume is a list of the laws of the "Fuero" of the Goths; with the names of the kings who enacted them.

The work has a good index; is within the compass of 300 pages; is well and clearly written, and is replete with information.

MARINA (D. Fr. Martinez), ENSAYO HISTORICO SOBRE LA ANTIGUA LEGISLACION Y PRINCIPALES CUERPOS LEGALES DE LOS REYNOS DE LEON Y CASTILLA, especialmente sobre elCodigo de D. Alonzo el Sabio, conocido con el nombre de las Siete Partidas. 4to. Madrid, 1808.

An Essay on the ancient Legislation and principal bodies of Laws of Leon and Castile, and chiefly on the "Siete Partidas."

In this essay the author, after commenting on the benefits conferred by King Alphonso X. on his country, by his encouragement of the arts and sciences and literature; in all which he set an excellent example himself, as is proved by his numerous works still remaining, and of which Marina gives a complete list; and after some remarks on the new edition of the "Partidas," proceeds to his investigation of the different collections of laws promulgated in Spain at different periods.

This treatise was intended originally to be prefixed to the academy's edition of the "Partidas;" but the author's ideas being too liberal for the then actual state of the Spanish nation, it was not thought proper that it should be published as intended, and so the author published it separately on his own account.

The work is divided into 486 paragraphs, which are numbered; there is no index, but a summary, numbered like the paragraphs and printed continuously, not like an index. There is no running title to the work. Altogether this negligent arrangement causes much inconvenience in the reference.

The author was born about 1757, and died in 1833. He was at one time a canon in the church of St. Isidore at Madrid, and was deputy for the Asturias to the Cortes, held in 1820.

MARINA (D. Fr. Martinez), *TEORIA DE LAS CORTES o Grandes Juntas Nacionales de los Reinos de LEON Y CASTILLA. Monumentos de su Constitucion Politica y del a Soberanía del Pueblo. Con algunas Observaciones sobre la Ley fundamental de la Monarquía Española, sancionada por las Cortes generales y extraordinarias, y promulgada en Cádiz a 19 de Marzo de 1812.* 3 vols. sm. 4to. Madrid, 1820.

The Theory of the Cortes, or Great National Meetings of the Kingdoms of Leon and Castile, with illustrations.

The work (which is a History of the Cortes) is in great estimation in Spain, and is a book of authority; it is in three volumes, and divided into two parts, which occupy the first and second volumes. The third volume contains an appendix of 48 most valuable unpublished documents.

Vol. 1 contains a preliminary discourse on the different forms of government adopted by the most ancient nations, and dwells particularly on the vicissitudes undergone by Spain from the earliest period.

Vol. 1 (Part 1) contains the preliminary discourse, and 30 chapters of the work, subdivided into sections numbered.

Chapters 1—10 treat of the Cortes as an essential part of the constitution; idea of them during the sway of the Goths; on the influence of the clergy in the government; the Cortes always looked up to by kings and subjects; their frequent assembling, and the times when; of those who had a right to assist at them—the king, the royal family, the council, the court, the chancery; on the articles 104, 106 and 107 of the constitution.

Chapters 11—14. When the people or third estate first began to be considered as an essential and primary part of the representation; on the privileged classes; on the constitutions of towns, and their right to send deputies.

Chapters 15—21. Increase in the numbers of the deputies; on the alterations of the national representation from the 15th century; on the right to convoke the Cortes, and the necessary writs; who has the right during an interregnum?—whether the king should have this privilege? on the elections of deputies.

Chapters 21—30. The precautions taken to secure a proper election of deputies; advantages of the actual representation over the old; on the powers conferred on the deputies by the councils; on the extension of those powers; the freedom, protection and security allowed the deputies by the laws; the place, apparatus and ceremonial of the Cortes; order and proceedings thereof; of the debates, replies and votes; on general and private petitions; security in the Cortes for the wants of the nation being complied with. An index of contents.

Vol. 2 (Part 2) contains 39 chapters.—Chapters 1—10 treat of the succession to the crown; of the obligation to swear allegiance in the Cortes to the heir apparent in his father's lifetime, and the oath; the king's oath in the Cortes on the day of his succession to the crown; the duties of the Cortes to the king and nation; the representative body of the nation can alter and modify the laws, and the right of succession to the crown.

Chapters 11—20. Influence and authority of the nation in the royal marriages; the king's duty at the beginning of his reign to call the Cortes in order to reform abuses; the Cortes to be called together during the king's minority [under fourteen]; the same, on the ending of such minority, &c.; the supreme authority, and first, of the legislative power; the nation of right interferes in matters of war and peace.

Chapters 21—32. The influence of the nation in the administration of justice; limited jurisdiction in appeal cases; appeals and courts of appeal; the king's judges and alcaides; the supreme tribunal, called the king's "audiencia;" vigilance of the Cortes regarding the administration of justice; the supreme council of justice, and the high and secret council of the kings of Leon and Castile; history of the king's council from King John I. till the beginning of the 16th century; the authority, &c. of the council of the king's household; on the grant of subsidies, &c.; none taken without the consent of the Cortes; the receivers of king's rents, and the taxes, &c. to be natural-born subjects.

Chapters 33—39. The right of the representative body of the nation to examine into the accounts of the treasury, to enforce public economy; the king's political existence dependent on his fulfilling his duties; the remedy applied by the nation when the king fails in so doing; King Henry IV.'s deposition, and its cause; of the general confederations of Castile to oppose the despotism of their kings. An index of contents.

Vol. 3.—The appendix, containing 48 documents, the oldest of which is dated 31st October, 1196. These consist of bulls, charters, confirmations, petitions, agreements, acts of the Cortes, writs for the calling together of the Cortes [1523]; oath of the king's eldest son in the Cortes.

The last two documents on the holding of the Cortes, and the ceremonial of swearing in the prince, are very curious.

MARINA (D. Fr. Martinez), JUICIO CRITICO DE LA NOVISIMA RECOPIACION. 8vo. Madrid, 1820.

This critique of the "Novisima Recopilacion" contains an introduction, giving the author's reasons for undertaking this work.

He divides his critical remarks or censures into 12 parts or articles, and they appear to be fully borne out.

CAPMANY (D. Antonio de), MEMORIAS HISTORICAS SOBRE LA MARINA COMERCIO Y ARTES DE LA ANTIGUA CIUDAD DE BARCELONA. 2 vols. 4to. Madrid, 1779. 2 vols. 4to. Supplement. Madrid, 1792, in all 4 volumes.

Memoirs concerning the Marine, Commerce and Arts of the City of Barcelona.

The 1st volume is divided into three parts, each of which is subdivided into two books, and they again into chapters.

PART 1. THE ANCIENT MARINE OF BARCELONA.

Book 1 treats of the rise and progress of the merchant shipping of Barcelona; its arsenals; the names and capacity of the ancient ships of the Mediterranean Sea; the ancient port of Barcelona.

Book 2 treats of the navy of Barcelona; the maritime wars between the Catalonians and the Genoese; the naval armaments of Barcelona, and their privileges; the naval expeditions undertaken by the crown of Aragon; the maritime assistance given by the Catalonians to other nations; the maritime help given by Barcelona to its kings.

PART 2. THE ANCIENT COMMERCE OF BARCELONA.

Book 1. Of the rise and progress of maritime commerce in general, and of the ancient commerce of Barcelona; its commerce by sea to foreign nations, namely, the Archipelago, Romania (that is now European Turkey), Barbary, Andalusia, Sicily, &c., Italy, Languedoc and Provence, the Low Countries, England.

Book 2. Of the administration of the ancient commerce of Barcelona; the antiquity and administration of its consulate and exchange; maritime laws; consuls abroad; exchanges and brokerage; liberty and protection of its commerce; its branches, &c.

PART 3. THE ANCIENT TRADES OF BARCELONA.

Book 1. The antiquity, and institution, and guilds of trades.

Book 2. The ancient legislation of the guilds, &c. of the following trades:—weavers of linen and cotton, tanners and fellmongers, curriers, cutlers, velvet weavers, potters, makers of veils, &c., rope makers, blanket makers, makers of aprons, bags, &c., fustian manufacturers, gold and silver-smiths, wool dressers, wool weavers, wool dyers, wax-chandlers, tallow-chandlers, stone-masons and bricklayers; painters, scabbard makers, armourers, galloon makers, manufacturers of printed leather, carpenters, gold-beaters, makers of shoes, clogs and pattens, hatters, coopers, sword-cutlers, turners, glaziers, smiths. Other crafts or trades whose laws or regulations are partly lost, namely, workers in coral, calkers, slop-shop keepers, guitar-string makers, cloth shearers, mattress makers, clothes sales-

men, card makers, braziers, coppersmiths, blacksmiths, &c.; glovers, tinmen, bridle and bit makers, buckler makers, booksellers and bookbinders, latten manufacturers, cotton dealers.

Vol. 2 contains 300 documents, under the name of "*Coleccion Diplomatica*," all inedited, except about four. They consist of charters, letters, &c. concerning the city of Barcelona.

An appendix of 32 other curious memoranda, lists of consuls, &c., called by the editor "*Notas*," relating to Barcelona; an index "*raisonné*" is given of these at the end of the second volume.

Supplement.

1st Vol. This is divided into three parts.

1st Part. This treats of the ancient marine of Barcelona; description of the city; historical testimonies as to the navy of the crown of Aragon; naval wars in the lower ages; invention of the mariners' compass; magnitude and names of ships in the lower ages; privateers of Barcelona; rowing vessels of the ancients.

2nd Part. Ancient commerce of Barcelona; mercantile richness of that city; commerce of the Europeans in the East and West, in the 15th and 16th centuries; commerce and navigation of the Catalonians in Egypt and Syria, Italy, Flanders, Africa; commerce of foreigners with Barcelona; liberty, protection and administration of the commerce of the Catalonians; administration of the ancient commerce of Barcelona, its consulate, exchange, landing place, &c. and mole.

3rd Part. Ancient trades, &c. of Barcelona; as to whether Barcelona has equalled other nations in arts and industry; its public buildings.

Vol. 2 contains 174 documents under the name of "*Coleccion Diplomatica*," all inedited. They consist of treaties, charters, edicts, &c.; and, like those contained in the former volume, are taken from the archives at Barcelona.

Acts of the Cortes, &c.

An appendix of 19 other curious memoranda, called by the editor "*Notas*," relating to Barcelona, and an index of them.

HISTORIA CRITICA DE LA INQUISICION DE ESPAÑA.

Obra original conforme á lo que resulta de los Archivos del Real Consejo de la Suprema, y de los Tribunales de Santo Oficio de las Provincias. Su Autor DON JUAN ANTONIO LLORENTE, Antiguo Secretario de la Inquisicion de Corte, Caballero de la Real Orden de Carlos tercero, dignidad de maestrescuelas y canonigo de Toledo, canciller de su Universidad literaria, academico y socio de muchas Academias y Sociedades extrangeras. 10 vols. 18mo. Madrid [Paris], 1822.

A history of the Inquisition of Spain, by Llorente, a secretary of the Inquisition; it is taken from the general archives of the Inquisition. The history is divided into 47 chapters, which are subdivided into articles and paragraphs.

Vol. 1 contains a prologue, a list of unpublished MSS. consulted in the composition of the work, an explanation of particular words and phrases used in the

tribunals &c. of the Inquisition. Chapter 46, in vol. 9, contains a list of the victims of this tribunal. Vol. 10 contains a chronological list of the most remarkable events recorded in the history, and an appendix of documents. Each volume has an index of chapters, &c., but there is no general index to the work, which is much to be regretted.

- Vol. 1.—Chap. 1 treats of ecclesiastical discipline before the establishment of the ancient Inquisition; 2. Of the establishment of the Inquisition in the 13th century; 3. Of the ancient Inquisition of Spain; 4. Of the government of the same; 5. Of the modern Inquisition of Spain.
- Vol. 2.—Chap. 6. Of the creation of the royal council of the Inquisition, subaltern tribunals, and an inquisitor-general; extension of the establishment to Aragon; 7. Increase of the first constitutions of the office, and appeals from it to Rome; 8. Expulsion of the Jews; proceedings against bishops; competency of jurisdiction; death of Torquemada; number of his victims; his personal character; 9. Of the manner of proceedings in the Inquisition, in cases of heresy—this is curious; 10. Of the principal events in the time of the Inquisitors-general Deza and Cisneros; establishment of the Inquisition in Sicily; expulsion of the Moors; cruelty of Lucero.
- Vol. 3.—Chap. 11. Of the endeavours made by the Cortes of Castile and Aragon to reform the office; principal events in the time of the Inquisitor-general Cardinal Adrian IV.; 12. Of the proceedings of the Inquisitors with regard to the Moriscoes; 13. Of the prohibition of books, &c.; 14. Concerning Lutherans, the Illuminati, &c.; 15. Of the proceedings of the Inquisition regarding conjurors, &c.
- Vol. 4.—Chap. 16. Of the case of the false “Nuncio” of Portugal, and other cases, in the time of Cardinal Tabera, the sixth Inquisitor-general; 17. Of the Inquisitions of Naples and Sicily, and other events in the time of the seventh Inquisitor-general, Loaisa; 18. Of various celebrated cases in the time of the eighth Inquisitor-general; of Charles the Fifth’s religion in his latter days; 19. Of proceedings against Charles V. and Philip II., as favourers of heretics and schismatics; propagation of the office by this latter sovereign, and the effects of his excessive favour to it; 20. Of the two “autos de fe” [of Lutherans] celebrated in Valladolid, in the royal presence, in 1559; of two others in Seville, in the same year.
- Vol. 5.—Chap. 22. Of the ordinances promulgated in 1561, concerning proceedings by the office; 23. Several “autos de fe” in Murcia; 24. Of “autos de fe” against Protestants and others in the Inquisitions of Toledo, Zaragoza, Valencia, Logroño, Granada and Sardinia, in Philip the Second’s reign; 25. Of literary men, who have suffered through the Inquisition; 26. Of magistrates persecuted by the Inquisition.
- Vol. 6.—Chap. 27. Of proceedings by the Inquisition against various sovereigns and princes; 28. Of proceedings by the office against confessors “soliciting,” &c.; 29. Of proceedings by the Inquisition against bishops and others; 30. Of proceedings by the same against many good and venerable Spaniards; 31. Of the celebrated case of Don Carlos, prince of the Asturias.
- Vol. 7.—Chap. 32—34. Of the celebrated case of the Archbishop of Toledo, Bartolomé Caranza; 35. Of the celebrated case of the famous Antonio Perez, minister and first secretary of state to Philip II.; his death, and the re-establishment of his character, &c.—this is very curious.

Vol. 8.—Chap. 36. Of the many cases in the Inquisition derived from the case of Antonio Perez; 38. Of the principal doings of the Inquisition during Philip II.'s reign; 39. Of the Inquisition in the reign of Charles II., particularly of the cases of the "brother and confessor" of the king, and the "consulta" of the "junta magna;" 40. Of the Inquisition—principal trials and "autos de fe" in Philip V.'s reign; 41. Of the Inquisition in the time of Ferdinand VI.

Vol. 9.—Chap. 42—44. Of the Inquisition in the reigns of Charles III., Charles IV., and Ferdinand VII.; 45. Sacred authorities, showing that the spirit and conduct of the Inquisition are in opposition to the spirit of the Evangelists and the Christian religion—[this was not necessary]; 46. Chronological list of victims.

Vol. 10.—Chap. 47. Chronological list of events, &c.

The appendix of documents. These are eleven in number; the earliest of them is dated 1481; it is a brief of Pope Sixtus IV.

NOTICIAS HISTORICAS DE LAS TRES PROVINCIAS VASCONGADAS, en que se procura investigar el estado civil antiguo de Alava, Guipuzcoa y Vizcaya, y el origen de sus Fueros, &c. Por el DR. D. JUAN ANTONIO LLORENTE, presbitero, canonigo de la Santa Iglesia primada de Toledo, academico correspondiente de la Real Academia de la Historia. 5 vols. sm. 4to. Madrid, 1806—8.

A History of the three Gascon Provinces of Spain, Alava, Guipuzcoa and Biscay, and of their "fueros" or customary laws; by the author of the History of the Inquisition of Spain. The work is divided into 3 Parts: Part 1 (Vol. 1) treats of the ancient civil state of the provinces: Part 2 (Vol. 2) treats of the origin of their "fueros": Part 3 (Vols. 3 and 4) contains a collection of 194 documents: Vol. 5 contains the author's defence against the attacks of Señor Aranguren, and extracts from chronicles, "fueros," &c. Each volume has an index of contents. Vol. 1 contains a list of authors who have written histories, &c., of the three provinces, 77 in number; and also three indexes of the "Pueblos," &c. of the said provinces. The first two volumes are divided into chapters and sections.

Vol. 1.—Chap. 1. Of the civil state of the three provinces in the time of the Romans; 2. Of the same during the Gothic domination; 3. Of the same (separately) during the Arab invasion, and in the times of Pelayo, Favila, Alonzo I. (the Catholic), Fruila I., Aurelio, Silon, Mauregato, Bermudo I., Alfonso II., Ordoño I. and Alonzo III. (the Great); 10—14. Of the same (separately) during the 10th and 11th centuries; 15—18. Of the same during the reigns of Alonzo VI., Doña Urraca and Don Alonzo VII., the emperor; 19—21. Of the same (separately) during the reigns of Sancho III. and Alonzo VIII.; 22. Of Alava during the reigns of Henry I., St. Ferdinand III., Alfonso X., Sancho IV., Ferdinand IV. and Alfonso XI.; 23. Of Biscay in the 13th century, and the beginning of the 14th; 24. Of the incorporation of the "Pueblos" of the community of Alava with the royal patrimony in the reign of Alonzo XI.; 25. Of Biscay in the reigns of Alonzo XI., Pedro, Henry II. and Juan I.—The indexes.

Vol. 2.—Chap. 1. Of provincial “fueros” in general ; 2. Of the origin and progress of the “fueros” of Guipuzcoa in general ; 3. Of the “fueros” of Alava in general ; 4. Of the “fueros” of Biscay, and the oath to observe them ; 5. Of the “fuero” of the nobility and natives of Guipuzcoa ; 6. Of the “fuero” of nobility of the Biscayans ; 7. Of the “fuero” of exemption from tributes of the province of Guipuzcoa ; 8, 9. The same of Biscay and Alava ; 10. Of the ancient taxes, &c. of Castile ; 11. Of what is established in the ancient “fueros” concerning taxes, &c.

In this chapter is a list of about 255 “fueros,” in chronological order, with remarks on them. The chief of these are Alava, Bermeo, Bilbao, Burgos (2), Castile (5), Cordoba ; “Fuero de las Fazañas ;” “Fuero de los Fijosdalgo ;” of Jaca, Jaen, Madrid (2), Murcia, Navarre, Nájera, Salamanca, Santander, Segovia, Sepulveda, Sobrarbe, Soria, Toledo (2), Tolosa de Guipuzcoa, Toro, Tortosa, Victoria, Biscay, Zamora. There is an alphabetical list of these at the end of the volume.

Chap. 12. Of the modern taxes, &c. of the crown of Castile ; 13. Of the “fuero” of freedom of commerce of Guipuzcoa ; 14, 15. Of the freedom of commerce of Alava and Biscay ; 16. Of the “fuero” of the Guipuzcoans not to serve in war out of the province ; 17. Of the “fuero” of Biscay, that the Biscayans should not go to war out of the county, unless they were paid two or three months in advance ; 18. Of the exemption of the people of Alava from serving in war out of their province ; 19. Of the exemptions of the three provinces respecting the militia and the army ; 20. Of the “fuero” of Biscay, to obey and not perform royal decrees, which may be contrary to their privileges ; 21, 22. Of similar “fueros” of Guipuzcoa and Alava ; 23. Of the “fuero” of Biscay, that no town, &c. should be built without the consent of all the Biscayans ; 24. Of the “fuero” of Biscay excluding those not of the province from enjoying offices, &c. ; 25. Of the “fuero” of Guipuzcoa, that no corregidor should be placed among them, without their asking it ; 26. Of the difference in the government between the three Gascon provinces and the rest of the dominions of the crown of Castile.

Vols. 3 and 4.—The appendix of documents, beginning at the 8th century, and ending at the 12th. These documents are most valuable and interesting ; they consist of endowments and gifts of churches, &c. in chronological order, agreements, and a great number of “fueros,” the text entire. The earliest “fuero” is that of Brañosera, dated Thursday, 13th October, 824 ; 44 of the fueros are given in full in the original Latin.

Vol. 5 contains the defence of the author’s opinions expressed in the former volumes against certain attacks directed against them.—An appendix, containing extracts from MS. and other chronicles, and the “Fuero Viejo” of Castile ; two dissertations on the origin of the laws of Biscay, &c. See Zuaznavar on the ancient legislation of Navarre.

Llorente says that the “fueros” of Guipuzcoa were not reduced into writing before 1376, and that Alava, Guipuzcoa and Biscay had no written laws before the 14th century.

The “Fuero de España” is that given by Pelayo, and is probably the same as the “fuero” of Sobrarbe.

ZUAZNAVAR (D. José Maria de), ENSAYO HISTORICO-CRITICO SOBRE LA LEGISLACION DE NAVARRA. 3 parts in 4 vols. sm. 4to. San Sebastian, 1827.

Half of the first volume is taken up with general remarks on society, &c., and in the examination of the form of government adopted by the Wisigoths in Spain, particularizing each reign down to the death of Roderick, their last king.

Part 1 contains the new-written law under what the author calls the "Pyrenean Kings" and "Kings of Nájera, Pamplona and Alava." An appendix contains the "Fueros" of Nájera, in eight pages in Latin. It is nothing more than a charter.

Part 2 contains the written "fueros" of towns and communities, &c., under the government of the successive houses of Aragon, Navarre, and France. This part is divided into three books; each book comprising one of these houses or dynasties. An appendix to the 1st book contains the following "fueros" or charters, "de Cabanillas," "de Caseda," "de Jaca," "de Sepulveda," "de Tudela."

Under the dynasty of Navarre, (appendix to the 2nd book), are the following "fueros:"—"de Bernedo," "de Estella," "de La-guardia," "de Larraga," "de Larraon," "de Logroño," "de los Arcos," "de San Sebastian."

The "fueros" granted by the 3rd dynasty are not set forth by the author.

Part 3 contains an account of the written laws of Navarre (in three books); 1st, from the reign of D^a. Juana I. to Ferdinand and Isabella in 1512; 2nd, from that time until the introduction of printing into Navarre; 3rd, from that time till 1824. An appendix to the 1st book of this part contains an analysis of the "Fuero de Navarra," or, as it is sometimes called, "Foro Codigal de Navarra," or "Recopilacion y Fuero General de Navarra;" giving a particular account of the times of their compilation, &c. See Chavier's prologue to his edition of the "fueros" of Navarre in 1686, which is the first; the last is in 1815—1819.

The 2nd Book contains annals of the Cortes, &c. till the year 1556. An appendix of ordinances, &c.

The 3rd Book contains the annals from 1556 to 1824. An appendix of charters, &c.

This is a work of great research.

See Llorente's History of the three Provinces of Alava, Guipuzcoa and Biscay.

BURRIEL (El P. Andres Marcos), Cartas eruditas y criticas. Edited by D. Antonio Valladares de Soto-Mayor. No date or place. sm. 4to.

These letters are held in estimation; they are four in number, addressed to different individuals. The first contains some remarks on the "Junta General del Estado Ecclesiastico," on the old "Fueros," "Ordenamientos," "Estatutos," the "Siete Partidas," the "Nueva Recopilacion," &c.

In his second letter he gives a curious account of the number of "fueros" and "ordenanzas" that he had copied; and what collections of laws, legends, &c. he had made. This is by far the most valuable of his letters. The third is on the same subject as the other two. The last is unimportant.

DE JUSTITIA ARAGONUM FRAGMENTUM, complectens succinctam hujus magistratus Historiam ab anno 1348 usque ad annum 1479. *Dissertatio historica, &c.* Auct. CAROL. WILH. FRID. BREYERO. 12mo. Jena. (No date.)

A short historical account of the administration of justice in Aragon, embracing the period from 1348, the reign of Don Pedro IV., King of Aragon, till 1479, the death of Don Juan II., King of Aragon and Navarre.

The treatise is divided into fifteen sections; and in the first section the author hints at giving, at some future time, a larger historical work on the subject.

BUSTILLO (El D. D. Lorenzo Antayana), **LOS MAGISTRADOS Y TRIBUNALES DE ESPAÑA**. Su origen, instituto, jurisdiccion y gobierno. Sm. 4to. Madrid, 1745.

A treatise on the magistrates and tribunals of Spain. In his address to the reader the author calls this his third work; one of the other two is called "Gobierno político de los Pueblos de España:" the other "Senatus Romanus justus criminum vindex." At the last page of this present work, the author calls this "the first part." The work is divided into three books: the 1st treats of the magistrates and government of Spain, before and during the domination of the Romans; their appointment, their judicial and military authority, their mode of proceeding in causes; of municipal magistrates, and of appeals to the prince. The magistrates under the Romans were prætors, consuls, proconsuls, legates, presidents and deputies or lieutenants.

Book 2 treats of the magistrates during the time of the Goths; the chief of these were dukes, counts and "Tiufats."

Book 3 treats of the magistrates from the time of Pelayo to the time of St. Ferdinand, King of Castile and Leon; the chief of whom were the judges called "merinos mayores," "potestades," the "alferéz" of the king, the lord chief justice, and the "mayor-domo" of the king.

DISSERTACIONES HISTORICAS DEL ORDEN, Y CAVALERIA DE LOS TEMPLARIOS, o Resumen historial de sus principios, fundacion, instituto, progressos, y extincion en el Concilio de Viena. Y un Apendice, o Suplemento, en que se pone la Regla de esta orden, y diferentes privilegios de ella, con muchas Dissertaciones, y Notas, tocantes no solo à esta orden, sino à las de S. Juan, Teutonicos, Santiago, Calatrava, Alcantara, Avis, Montesa, Christo, Monfrac, y otras Iglesias, y Monasterios de España, con varios Cathalogos de Maestres. Su autor El Lic. DON PEDRO RODRIGUEZ CAMPOMANES, abogado de los Reales Consejos, &c. 4to. Madrid, 1747.

Historical dissertations on the origin and progress of the order of Knights Templars, till its extinction by the council held at Vienne in Dauphiny under Pope

Clement V., in 1311; with an appendix containing the rule of the order, and many dissertations on the orders of St. John of Jerusalem, and the Teutonic and Spanish orders, lists of masters of the orders, &c.; by Rodriguez Campomanes. There are two dedications and a prologue. The work consists of nine dissertations, divided into sections.

1st Dissertation.—Origin of the order of the Templars; 2nd and 3rd. Its establishment in Spain and elsewhere; 4th. Eulogies of several of its distinguished members, and of their deeds in defence of the Catholic religion in Spain; 5th. The causes and crimes which led to its extinction; 6th. Of the provincial councils held to treat of the cause of the Templars; 7th. Of the provincial councils held in Spain on the same subject; 8th. Of the extinction of the order, and when it happened; 9th. Of the property of the Templars in different countries. Additions.

The Appendix.—This contains the following articles:—1. The rule of the Templars called "The Rule of the Poor Soldiers of Christ and of the Temple of Jerusalem;" it contains a prologue and seventy-two items; 2. A dissertation on the true institution of the Templars; 3—5. The will of Alfonso Sanchez, King of Aragon and Navarre, with remarks thereon; 6—15. Various documents, remarks on the same, and lists of the masters of the above order, and of other orders.

SUBDIVISION EN PARTIDOS JUDICIALES de la Nueva DIVISION TERRITORIAL DE LA PENINSULA é Islas adyacentes, aprobada por S[ua] M[ajestad] en el Real Decreto de 21 de Abril de 1834. Fol. Madrid. Imprenta Real. 1834.

A subdivision into parts, for the purposes of justice, of the new division of the Peninsula and the neighbouring isles. In November, 1833, a new division was made of Spain and the adjacent islands, which are now comprised in forty-nine provinces.

ASSO Y MANUEL, INSTITUCIONES DEL DERECHO CIVIL DE CASTILLA. Emendadas por el Doctor D. J. Maria Palacios. 2 vols. 8vo. Madrid, 1806.

Institutes of the Civil Law of Spain. In an introduction to this work, containing 141 pages, the authors give an account of the various "fueros," or collections of laws, both general and for particular cities and provinces. They then notice the different Cortes held down to the year 1250; from which period they regularly deduce them to the year 1702.

The work is divided into three books; the first treats of persons, the second of things, and the third of law proceedings.

The first book comprises the following subjects:—1. Of the natural condition of persons; 2. Of guardianship, &c.; 3. Of the liabilities, &c. of guardians; 4. Of the avoidance and determination of guardianship; 5. Of the civil condition of persons; 6. Of betrothments and marriage; 7. Of dower; 8. Of the difference of children, and the paternal authority.

Book 2.—1. Of the division of things; 2. Of ownership; 3. Of wills and

inheritances; 4. Of delivery of possession, and partitions and intestacies; 5. Of substitutions, primogeniture and legacies; 6. Of services; 7. Of pledges, mortgages, &c.; 8. Of agreements, &c.; 9. Of gifts, &c.; 10. Of hiring, &c.; 11. Of loans and debts; 12. Of commissions, agents, &c.; 13. Of purchases and sales; 14. Of leases; 15. Of companies, &c.; 16. Of barter, exchanges, &c.; 17. Of insurances; 18. Of sureties; 19. Of crimes and punishments in general; 20. Of the degrees in punishment established by the laws of Spain.

Book 3.—1. Of the Spanish law courts; 2. Of the different laws and jurisdictions; 3, 4. Of plaintiffs, defendants, attorneys and advocates; 5. Of actions; 6. Of the summons and proceedings; 7. Of exceptions; 8. Of proofs; 9. Of the sentence; 10. Of appeal, &c.; 11. Of the execution of sentences; 12. Of criminal judgments.

The authorities for the authors' positions are carefully given, not only from the "Novísima Recopilacion" and the "Partidas," but occasionally from the "Fueros" of Aragon.

There is a general index at the end. The work is held in very great esteem: it was translated into English by Mr. Johnson, and printed in octavo, London, 1825. In this translation the introduction is left out. The translation was made for the use of the British inhabitants of the island of Trinidad, which became part of the dominions of Great Britain in 1797.

INSTITUCIONES DEL DERECHO CIVIL DE CASTILLA,
por los Doctores D. Ignacio Jordan de Asso y del Rio, y D. Miguel de Manuel y Rodriguez. 8vo. Madrid, 1775.

This is the first edition of the above work. It is not so comprehensive as the second edition.

ALVAREZ (D. José Maria), INSTITUCIONES DEL DERECHO REAL DE ESPAÑA. 2 vols. 8vo. Madrid, 1829.

This is not a work of much research, and is otherwise much inferior to Asso and Manuel's Treatise on the same subject. The two volumes, not much exceeding 550 pages, are divided into four books. The contents are—

Book 1st.—Chap. 1. Of justice, law and jurisprudence; 2. Of natural law, the law of nations, and civil law; 3. Of the rights of persons; 4. Of the free-born; 5. Of the manumitted; 6, 7. Who may not grant liberty to their slaves; 8. Of the power of masters over their slaves; 9. Of paternal authority; 10. Of marriage; 11. Of adoption; 12. Of the modes of putting an end to the paternal authority; 13 to 26. Of guardianship.

Book 2nd.—Chap. 1. Of things in general, and the mode of acquiring them; 2. Of things corporeal and incorporeal; 3. Of rights and services; 4. Of usufruct; 5. Of use and habitation; 6. Of usurpations; 7. Of donations; 8. Who may alienate or not; 9. Who may make acquisitions or purchases; 10. Of wills; 11. Of soldiers' wills; 12. Who may not make a will; 13. Of disinheritance; 14. Who may or may not be made heirs; 15, 16. Of substitutions; 17. How wills may lose their effect; 18. Of wills informal, inoperative, &c.; 19. Of the different kinds of heirs; 20. Of legacies;

21. Of the "lex Falcidia;" 22, 23. Of trustees, &c., and the 4th part or share, called "Trebellianica;" 24. Of the revocation, transfer, &c. of legacies; 25. Of codicils.

Book 3rd.—Chap. 1 to 13. Of successions "ab intestato;" 14. Of primogeniture; 15. Of obligations; 16. Of contracts, &c., and mortgages; 17. Of verbal engagements; 18. Of apportioned or quota obligations; 19. Of the obligations, &c., of slaves; 20, 21. Of other obligations; 22. Of securities, &c.; 23. Of written obligations, &c.; 24. Of agreements; 25. Of purchases and sales; 26. Of the contract to let on lease; 27. Of partnerships, and of matrimonial contracts, &c.; 28. Of trusts, &c.; 29, 30, 31. Of other obligations.

Book 4th.—Chap. 1. Of delinquencies, &c.; 2. Of rapine, robberies, &c.; 3. Of wrongs; 4. Of injuries; 5. Of quasi delinquencies, &c.; 6—9. Of actions; 10. Of attorneys; 11. Of judicial security, bail, &c.; 12. Of different sorts of actions; 13. Of exceptions; 14. Of replications; 15. Of summary proceedings; 16. Of penalties for bringing improper actions; 17. Of the office of judge; 18. Of public crimes, &c.; and of tribunals, appeals, &c.

VILLANOVA y Mañez (el Doctor Don Senen), *MATERIA CRIMINAL FORENSE*, ó tratado universal teórico y practico de los delitos y delinquentes, en genero y especie, por la segura y conforme expedicion de las causas de esta naturaleza. 3 vols. sm. 4to. Madrid, 1807.

A Treatise on the Practice of the Criminal Law of Spain. The first 3 vols. contain the treatise; the 4th the formulare, or collection of writs, warrants, interrogatories, and other matters of that kind connected with criminal trials.

The work is divided into chapters called "Observaciones," which are subdivided into sections.

Vol. 1 (7 chapters).—

Chap. 1. Of crime in general, and its classification; 2. Of criminal tribunals, their origin, nature and object; 3. Of the criminal judges; 4. Of courts or jurisdictions ordinary, and for the privileged classes, as ecclesiastics; the Holy Brotherhood; religious fraternities; the Inquisition; military orders (religious); the "conservacion" (the property of churches and monasteries); the "cruzada;" scholars; soldiers; mariners; intendancies; the "maestranza;" coast-guards; couriers; mixed tribunals; 5. Of the competency of the courts in criminal matters; 6. Of the criminal prosecutor, or plaintiff; 7. Of the accused criminal, or defendant.

Vol. 2 (3 chapters).—

Chap. 1. Of proceedings on criminal trials; 2. Of the first or preparatory proceedings; 3. Of the full proceedings, till the execution of the sentence.

Vol. 3 (1 chapter).—

Of crimes in general, and of every one in particular; namely, high treason; sacrilege; blasphemy; duelling; forgery; perjury, &c.; coiners of bad money; murder, suicide, use of arms; actual or real injuries, libels, anonymous letters, &c.; verbal injuries, defamation, &c.; violence, or outrages; conspiracy, sedition and resistance to the laws; bribery, bar-

ratry, and numerous others; wrongs, as arson, &c; theft, or robbery without violence [hurto]; peculation; theft, or lifting of cattle; robbery with violence [robo]; usury, monopoly, forestalling; deceptions, frauds, &c. [engaño]; adultery; unnatural connections; fornication; rape or ravishment; ravishment with violence [rpto y violencia]; concubinage; courtezans; panders and go-betweens; incest; polygamy; forced recruits, or the levy; smuggling; numerous other crimes not put under any of the above headings. An appendix on the duties, &c. of an advocate.

Vol. 4.—The *Formulare*.

At the end of the third volume is an index of the contents of the 3 volumes.

This work has a running title.

GUTURRIEZ (Don José Marcos), *PRACTICA CRIMINAL DE ESPAÑA*. 4th edition. 3 vols. 8vo. Madrid, 1826.

A practical Treatise on the Criminal Law of Spain. This is intended as a supplement to Febrero's work on the Civil Law of Spain, as edited by Guturriez.

This work, which is greatly esteemed, is divided into 3 parts; the first contains an account of the different tribunals, both ordinary and for the privileged classes, and the general proceedings of the courts; the second contains the *formulare*, or collection of writs, warrants, sentences, &c. (287 in number); the whole proceedings, from beginning to end, in a criminal cause; a *formulare* of a soldier's trial; the third is a treatise on crimes and their punishments.

Part 1 (11 and 5 chapters).—

Chap. 1. Of judges and magistrates, including process against privileged persons, such as clergymen, soldiers, knights of military orders; the royal household and service; those employed in the royal treasury; saltpetre manufactories; couriers; ambassadors; envoys; consuls and foreigners; 2. Of the accusation, &c.; 3. Of proceedings *ex officio*; 4. Of the judicial inquiry or inquest [averiguacion]; 5. Of sanctuaries; 6. Of imprisonment; 7. Of confession, with two appendices; 8. Of the proofs; 9. Of torture, with two appendices on torture and on the defence of criminals; 10. Of appeals; 11. Of pardons, and of inspections of prisons.

Two appendices of proceedings in the absence of the criminal; of the hall of the *alcaldes* of the royal household and court, as the supreme tribunal in criminal matters, &c.; of the "Casa de Contratacion de las Indias en Cadiz" [the India House in Cadiz].

Chap. 1, 2. Of criminal trials of clergymen, soldiers and other privileged persons; 3. Of proceedings against *corregidores* and other justices of the kingdom; 4. Of proceedings in smuggling cases; 5. Of proceedings against vagabonds, &c.

Part 2.—The *Formulare* and Index.

Part 3 (10 chapters).—

Chap. 1. Of crimes against God and religion; 2. Of high treason; 3. Of crimes against persons; 4. Of crimes against the honour or fame of a citizen [subject]; 5. Of crimes against the property of a citizen; 6. Of crimes in respect of the royal treasury [peculation]; 7. Of crimes against the administration of justice; 8. Of forgery, coining, &c.; 9. Of incontinence, &c.; 10. Of crimes against the internal government or police.

These last are very curious, particularly with regard to soldiers being prohibited from wearing arms, &c.

The punishments are added to each of these articles.

An alphabetical list of crimes.


Discourse on Crimes and Punishments.—6 Chapters.

Chap. 1. Of crimes in general, with axioms; 2. Of the measure of crimes; 3. Of punishments in general, their origin, &c., with axioms; 4. Of the measure and quantity of punishments; 5. Of the proportion or relation between crimes and punishments; 6. Critique on the various classes of punishments and their use, that is, death, corporal punishments, infamous or degrading punishments, fines or pecuniary mulcts.

Each volume contains an index of contents.

There is no running title to this work.

See the next page, article "Febrero," &c.

REPERTORIO UNIVERSAL DE TODAS LAS LEYES DESTOS REYNOS DE CASTILLA, abreviadas y reduzidas en forma de Repertorio decisivo, por el **DOCTOR HUGO DE CELSO**: en el qual, allende de las addiciones hechas por los Doctores Aguilera y Victoria, y por el Licenciado Hernando Diaz fiscal del Consejo Real, agora nuevamente van añadidas mas de mil y trezientas leyes, y todas las prematicas y nuevas Cortes de su Majestad diferenciadas por esta señal : y corregido de muchos vicios que antes tenia, por el Licenciado **ANDRES MARTINEZ DE BURGOS**, vezino de Astorga. Dirigido al muy alto y muy poderoso Señor Don Felipe, Principe de España, &c. nuestro Señor. Fol. Medina del Campo. 1553.

A Digest of the Laws of Spain, in alphabetical order, by Doctors Hugo de Celso, Aguilera, and Victoria, and the Licentiates Hernando Diaz, and Andres Martinez de Burgos.

It contains an Epistle to the Reader, a Prologue, and an Index of Subjects.

The work, as the authors notify in the Epistle, contains all the laws comprised in the "Fuero Juzgo," the "Fuero de las Leyes" or "Fuero Castellano," the "Partidas," the "Estilo," the Royal Ordinances and Pragmatics, laws of Toro, of the "Hermandad" and the "Mesta," the "Alcavalas," the laws published in the different Cortes held during the reign of Charles V. (to 1553), and all other laws promulgated to that time.

The first edition of this work was published at Alcala, fol. 1540; the second, also folio, at Valladolid, by Aguilera, Victoria and Diaz, in 1547.

The title-page has the prince of Spain's arms.

BOLAÑOS (Juan de Hevia), **CURIA FILIPICA**, 2 parts, fol. Madrid, 1825. (new edition).

Under this quaint title (which the author explains in the second sentence in his work) is contained a digest of the general laws of Spain.

The first part or tome is divided into 5 parts, which are again divided into paragraphs, and subdivided into sections.

The second part is divided into 3 books, which are again divided into chapters and sections.

Part 1. treats of civil law proceedings, including the privileged "fueros."

Part 2. of the "juicio ejecutivo" (executive process).

Part 3. of criminal law proceedings.

Part 4. of judges calling on their predecessors in office, and their own officers, to account.

Part 5. of appeals, &c.

Tomo or Part 2.—Book 1. Of Commerce by Land. The following are the subjects of this book:—Merchandizes, exchanges, companies or partnerships, factors, brokers, marking of things, money, weights and measures, fairs and markets, shops, sales, returning of goods for some fault, &c. [redhibitoria], excise, royal revenue.

Book 2. The same.—Usury, interest, mortgages, extension of time in contracts, renewals of obligations, or rather a transfusion of contracts, transfer of goods, payment of debts, &c., books and accounts, closing of accounts, bankruptcies, preference as to debts, revocations and reversals of fraudulent assignments by debtors, compromises, tribunals of commerce.

Book 3. Commerce by Sea.—The subjects are, the sea, ships, fleets, navigation and navigators, freights, prohibited articles, the custom-house, registry of the ship, inspection of the ship, confiscation, forfeiture &c., the voyage, damages, shipwreck, insurances, wagers and bets.

A most copious analytical index.

The author, in the last sentence of his work, states that he finished it on Christmas Eve, in the year 1615.

FEBRERO (Don José), **LIBRERIA DE ESCRIBANOS, ABOGADOS Y JUECES**: y ha reformado de nuevo en su language, estilo, método y muchas de sus doctrinas, ilustrándola y enriqueciéndola segunda vez con muchas notas y adiciones, para que se han tenido presentes las Reales ordenes mas modernas, el Licenciado **DON JOSE MARCOS GUTIERREZ**. 6th edition, 5 vols. 8vo. Madrid, 1825.

A new edition of this excellent work, which is a treatise on the civil law of Spain, accompanied with a formulare, or precedents of all kinds of deeds, wills, petitions, warrants, decrees, and other matters belonging to the scriveners' department of the law. The old title to this work is "Libreria de Escribanos, ó Instruc-

cion teórico-práctica para principiantes," that is, "Library for Scriveners, or theoretical and practical Instructions for Beginners."

The work is divided into 2 parts; the first contained in 2 vols.; the 2nd part being comprised in the other 3 volumes.

In the title-pages of the 5 volumes it is mentioned that the editor has added a "Practica Criminal," a practice of criminal law. This is done by another work, in 3 vols. 8vo. Madrid, 1826, called "Practica Criminal de España," and which is inserted in this Catalogue at p. 64; and at page 164 of the 5th volume the editor says that Febrero has omitted the article of "Appeals," called "Recursos de Apelacion, Súplica, segunda Suplicacion é Injusticia notoria." This article, the editor's composition, he forms into a 4th book (the work consisting of 3 books): it contains 4 chapters, and is divided into paragraphs like the rest of the work.

The chief authorities quoted are the "Recopilacion," the "Partidas," &c.

Contents:—

The 1st Part treats of the following subjects:—Of public and private things, of the modes of acquiring them; of wills, and inheritances "ab intestato;" of primogeniture; of patronage and foundings of benefices; of commerce; of money, weights, and measures; of sales and exchanges; of leases; of gifts, mortgages, contracts, &c. loans and hirings; of bills of exchange; ships; insurances, wrecks, cargoes, &c.

An appendix of matters that could be ranged under any of the above heads.

Part 2. contains inventories, valuations, and divisions of property [of testators and intestates]; tribunals and their jurisdictions; removals of suits and appeals.

The 1st part is divided into chapters and paragraphs.

The 2nd part into books, chapters, and paragraphs.

At the end of each part is a short index of the chief matters contained in such part.

FEBRERO NOVÍSIMO, O LIBRERÍA DE JUECES, ABOGADOS Y ESCRIBANOS, refundida, ordenada bajo nuevo método, y adicionada con un Tratado del juicio Criminal, y algunos otros. Por DON EUGENIO DE TARPIA. 9 vols. 8vo. Valencia, 1825.

This is another edition of Febrero's work, and contains 3 volumes of extra matter, the original work being comprised in the first 6 volumes.

This edition is divided into books, titles, chapters, and paragraphs. The books are 3 in number. The deeds and forms, &c. are put at the end of the chapters, as in the other edition, and each volume contains an index of titles, chapters, and paragraphs; and a separate list of the forms, &c. is in each volume. This is an improvement; but this edition is without any index whatever. It is however more methodical than the other, though the matters are still incongruously mixed in the 1st and 2nd volumes. A good index is a great desideratum to this useful work.

Contents:—

Book 1, Vol. I. Of Persons.—Paternal authority, dower, legitimacy, guardianship, public offices, scriveners, &c.

Book 2, Vol. I. Of Things.—The property or ownership of them; towns and the property belonging to them; inheritances; wills.

- Book 2, Vols. 2 & 3.* Primogeniture; patronage, founding of benefices; contracts, leases, hirings, &c.; donations "inter vivos," donations "causâ mortis;" mercantile law; merchants' books and accounts; insurances; bills of exchange; freights; damages, shipwrecks; consulates, &c.; actions, exceptions, &c.
- Vol. IV.* Ordinary civil tribunals; judges' jurisdiction; pleadings; advocates; proofs; decrees; appeals, &c.
- Vol. V.* Summary proceedings in favour of creditors, &c. called "juicio ejecutivo;" against bankrupts, called "juicio de concurso," and generally denominated the "concurso."
- Vol. VI.* Inventories and valuations of a deceased's property; division among the widow and children.
- Vols. VII. & VIII.*, divided into titles, &c., treat of Criminal Law; crimes in general; a list of crimes digested under heads, with observations; proceedings before the Courts; the laws of privileged persons, &c. (called "Fueros"), as ecclesiastics, soldiers, the "Cruzada," the 3 "Gracias," the military orders, the exchequer, couriers, saltpetre merchants, the king's household, ambassadors, consuls, &c. foreigners; forms to be observed in criminal trials; of appeals in criminal matters; trials for smuggling, sanctuaries; trials of soldiers; trials of vagrants.
- Vol. IX.* A treatise on appeals, called "Recursos de Fuerza," that is, appeals without the judge's consent, &c.; of ecclesiastical tribunals; appendix and documents; of the "Recursos extraordinarios," to the king himself; of the nature of these appeals, &c.; appendix of appeals, &c.

SALA (D. Juan), ILUSTRACION DEL DERECHO REAL DE ESPAÑA. Second Ed. 2 vols. 8vo. Madrid, 1820.

Commentaries on the Laws of Spain. This work, like that by Asso and Manuel, is divided into three books; the 1st of Persons, the 2nd of Things, and the 3rd of Actions, &c.

Book 1.—Tit. 1. Of justice and law in general [very explanatory]; 2. Of man's condition; 3. Of the paternal authority; 4. Of dower; 5. Of legitimacy, &c.; 6. Of guardianship, &c.; 7. Of restitution to minors.

Book 2.—Tit. 1. Of the division of things; 2. Of prescription; 3. Of services, rights, &c.; 4. Of wills; 5. Of heirships, substitutions and disinheritances; 6. Of extra-provision for children, (of the 3rd and 5th); Of legacies, trustees, &c.; 7. Of primogeniture; 8. Of intestacies; 9. Of contracts in general; 10. Of purchases and sales; 11. Of retractions; 12. Of the excise duties on sales; 13. Of loans and lettings; 14. Of annuities, &c.; 15. Of companies; 16. Of verbal contracts; 17. Of sureties; 18. Of pledges, &c.; 19. Of contracts literal and real; 20. Of donations or gifts; 21. Of quasi contracts; 22. Of crimes and quasi crimes; 23. Of the method of putting an end to contracts, &c.; 24. Of crimes in general, as treason, murder, &c.; 25. Of robbery, &c.; 26. Of forging, coining, &c.; 27. Of adultery, &c.; 28. Of usury and gambling; 29. Of blasphemy, Jews, &c.; 30. Of impeachmentments and punishments; 31. Of torture, prisons, &c.

Book 3.—Tit. 1. Of actions and exceptions; 2. Of judgments, &c.; 3. Of advocates and attornies; 4. Of scriveners and notaries, corporations, deputies and agents; 5. Of the summons and the mode of beginning the proceedings; 6. Of the proofs; 7. Of feast days or holidays, and of time to answer, &c.; 8. Of the decree or sentence; 9. Of appeals, &c.; 10. Of summary decisions without appeal, &c.; 11. Of decrees or judgments, of maintenance, and momentary possession; 12. On the same subject; 13. Of the forms of tribunals, proceeding, &c.; 14. Of ordinary civil tribunals; 15. Of the "juicio ejecutivo" (executive proceedings); 16. Of criminal tribunals; 17. Of the meaning of words; 18. Of the rules of law.

At the beginning of Vol. 1 is a very short account of the origin of the laws of Spain. At the end of Vol. 2 is a short digested index.

The work appears to be a useful manual.

The authorities cited are the "Novísima Recopilación" and the "Partidas."

REGIA ARAGONUM, CAMILLI BORRELLI, Olivetani juris-consulti clarissimi, seu COMMENTARIA SUPER PRAGMATICIS Regis Ferdinandi primi incip. *Odia et sequentis de Compromissis.* In qua omnia ad Arbitrorum, Arbitratorum, Compromissorumque materiam quovis modo spectantia, nusquam antehac ita perfectè digesta, ac compilata declarantur. Cum Summariis, et Indice materialium locupletissimo ab eodem autore confecto. Sm. 4to. Venice, 1574.

Comments on two pragmatics of King Ferdinand, (q. V.), the one beginning with "odia," and the other relating to bonds; the first probably treated of "arbitration."

There is a summary (numbered) to each gloss, and an index of contents.

DECISIONUM SACRÆ REGIÆ AUDIENTIÆ CAUSARUM CIVILIU REGNI ARAGONUM, discursu theoretico-practico compactarum, Tomus primus: auctore MARTINO MONTER A CUEVA J. V. D. olim in omnium Europæ famigerato divi Clementis Bononiensi Hispanorum Collegio, Sodale; deinde in vetustissimo patrio Oscensi, imò verius Sertoriano Gymnasio, Juris Civilis interprete primario, nunc verò in eâdem almâ Audientiâ Regio Consiliario: adjecto duplice Indice, uno Decisionum, altero Notabilium Rerum, copiosissimo. The 1st Volume, fol. Saragosa, 1598.

The decisions of the royal court for civil causes in the kingdom of Aragon, with the arguments, by Dr. Monter de la Cueva. The number of decisions in this

volume is 50; the 36th is entitled "*Responsa, pro amicitia Uxoris, facti species*," in three parts.

There are two indexes, one of the arguments and the other of subjects. The whole is in Latin.

PRIMA PARS AUREI APPARATUS THOME MIERES SUPER CONSTITUTIONIBUS: ET CAPITULIS CURIARUM CATHALONIÆ ab originalibus manu dicti Mieres propriâ scriptis: extracta et diligenter emendata et cum eisdem comprobata. Fol. Barcelona, 1533.

Comments by Mieres on the constitutions or laws and privileges of Catalonia, as granted by the different Kings of Aragon, who were also Counts of Barcelona, and Kings of the Majorcas, or Balearic Isles. They are in two volumes and in three parts, and are ranged in eleven collections; the king or queen's name is at the top of the page, and also the name of the "*Curia*," a Court or Cortez peculiar to Aragon and Catalonia; they end at the year 1435, and are in Latin; the earliest is of the year 1228.

Then follow the constitutions, &c., granted by Alphonso V., son of Ferdinand I., (he reigned from 1416 to 1458), in the Catalanian language, with the gloss in Latin.

The colophon mentions the publication as having been made in 1432.

AYALA (Manuel Fernandez), PRACTICA Y FORMULARIO DE LA CHANCILLERIA DE VALLADOLID. 8vo. Valladolid, 1667.

A Treatise on the Practice of the Chancery of Valladolid, with a Formulare.

This work is divided into two books; the 1st contains the Practice, and the 2nd the Forms. The 1st book also treats of the foundation or creation of the Chancery, its officers, ceremonies, proceedings, &c.

The Chancery of Valladolid appears to have been originally established by King Henry II. in 1369, and confirmed and reformed by various other kings down to Philip the Second's time.

Book 2 contains the forms, decrees, &c.

DICCIONARIOS DE LOS FUEROS DEL REINO DE NAVARRA, y de las Leyes vigentes promulgadas hasta las Cortes de los años 1817 y 18 inclusive. Por D. JOSE YANUAS y Miranda. 4to. San Sebastian, 1828.

ADICIONES à los Dictionarios de los Fueros y Leyes del Reino de Navarra. Por el autor de los Diccianarios; con encargo de las

Cortes generales del mismo Reino. 4to. San Sebastian, 1829, [in 1 vol.]

This is merely a digest, in alphabetical order, of the laws of Navarre as contained in its “fueros,” with additions. It includes the laws promulgated by the Cortes of Navarre in the years 1828 and 1829.

CORNERO (D. Andres), *DICCIONARIO HISTORICO, Y FORENSE DEL DERECHO REAL DE ESPAÑA*. 2 vols. 8vo. Madrid, 1779—84.

A dictionary of Spanish law terms, &c.; a very meagre production. The second volume is supplementary.

DICCIONARIO MARITIMO ESPAÑOL, que ademas de las definiciones de las voces con sus equivalentes en Frances, Ingles e Italiano, contiene tres vocabularios de estos idiomas con las correspondencias Castellanas. Redactado por orden del Rey nuestro Señor. Sm. 4to. Madrid, 1831.

A dictionary of sea terms, both for ships and commerce, with explanations at times in French, English and Italian. There are also three vocabularies of sea terms for ships; one in French, one in English, and the other in Italian, with translations in Spanish.

An historical preface. O. Scanlan appears to be the original author of this dictionary, which was revised by Manuel del Castillo.

DISPUTATIONUM DE SANCTO MATRIMONII SACRAMENTO, Tomi 3, auctore THOMA SANCHEZ Cordubensi, è Societate Jesu. 3 tom. in 2 vols. fol. Antwerp, 1614.

Thomas Sanchez, the author of these notorious disputations on matrimony, was born at Cordova in 1550. He was a Jesuit and died at Grenada in 1610. His whole works were collected and printed at Venice in 1740, in seven vols. fol.

Sanchez's works properly belong to the canon or ecclesiastical law; but as constant references are therein made to the old collections of the laws of Spain, to the commentators thereon, and to Spanish law text writers, it has been deemed not improper to assign them a place in this part of the Catalogue.

These disputations, 477 in number, are divided into ten books. The “disputatio” is first given, then the summary of the contents of the argument or solution, then the solution in sections which are numbered.

Book 1 treats of espousals; *2.* Of the essence and consent of matrimony; *3.* Of clandestine consent; *4.* Of forced consent; *5.* Of conditional consent; *6.* Of gifts between married people, dower, &c.; *7.* Of hindrances to matrimony; *8.* Of dispensations; *9.* Of the rights of marriage; *10.* Of divorce.

There is an index of the “disputationes,” and one of contents.

PROMPTUARIO DEL CONSEJO DE GUERRA, Y JURISDICCION MILITAR, en que se refieren el instituto, gobierno, y facultades de este Supremo Tribunal, y los casos en que compete, ò se limita el Fuero Militar, por razon de la causa, ò personas, segun Ordenanzas, y Reales Resoluciones. Ordenado por DON FRANCISCO DE OYA, del Consejo de su Majestad, y su Fiscal en el Real de Hacienda, en Sala de Millones, siendo Solicitador de los Negocios Fiscales del mismo Consejo de Guerra; y impresso a expensas de su Majestad. 12mo. No place nor date, but probably at Madrid, and about 1734.

A Manual of the Council of War, and of the Military Jurisdiction, wherein mention is made of the institution, administration and functions of that supreme tribunal, and also of such causes whereof the "fuero militar" has cognizance. By De Oya, of his Majesty's council, &c.

This manual is divided into seven titles, and subdivided into numbered paragraphs. There are numerous ordinances, orders, decrees, &c. scattered through the volume, of which a list is given; the earliest of them is dated in 1621, and the latest in 1733. Every title has a summary of its contents.

Title 1. Of the council of war, its plan and administration; 2. Of the warrants and other acts, &c. of the council of war; 3. Of the cognizance and jurisdiction of the same council; 4. Of the causes whereof the council is forbid to take cognizance; 5. Of such causes as naturally come under the heading "militar;" 6. Of the privileges and pre-eminence of those [soldiers] that are in actual service; 7. Of those causes which are excepted out of the "fuero militar;" and of others wherein ordinary justices can take cognizance of soldiers.

ABREU y Bertodano (D. Felix Joseph), TRATADO JURIDICO-POLITICO SOBRE PRESAS DE MAR, y calidades que deben concurrir para hacerse legitimamente el Corso. Sm. 4to. Cadiz [1746].

A Treatise on Captures or Prizes, and Cruizers.

The author divides his work into twenty-seven chapters, which are subdivided into sections.

Chap. 1. Of the capture or prize, its etymology, &c.; cruising must be legalized; 2. Of captures of merchant vessels sailing without passports, &c.; 3. Where captured ships should be taken, and within what time; 4. Of captures in port; 5. How far the prohibition to capture in port should extend; 6. Of captures being taken to ports of a friendly power [to both parties]; 7. Whether capture can be made of vessels not saluting the royal standard, &c.; 8. Of captures of merchandizes, belonging to friendly powers, put on board enemy's ships; 9. Whether enemy's property, put on board a friendly ship, can be captured with the ship; 10. Of the capture of property of Moors or Jews on board friendly ships; 11. Of captures of friendly vessels

carrying arms, &c. to the enemy ; of blockades, &c. ; 12. Of captures of vessels sailing with letters of marque granted by two sovereigns ; 13. To what places privateers should take prizes ; 14. Of the adjudication of prizes, in the first and second instance ; 15. As to the difference between captures, and seizures for smuggling ; 16. Of recaptures from the enemy ; 17. Of recaptures from pirates ; 18. Of the adjudication of recaptures ; 19. As to privateers hoisting other colours besides their own ; 20. To make a capture legal, the privateer should conform to the royal ordinance [of Spain] on cruizers, the treaties with foreign powers, and the customary laws of navigation ; 21. Of the inspection of ships' papers, when a vessel is stopped by a cruizer ; 22. Of captures made after proclamation of peace ; 23. As to proving the right to the prize ; 24, 25. In cases of finding enemy's property, who is to prove the fact of their being so ; 26. Of new trials before a superior court, arising out of matters of delay, in respect of papers, &c. ; 27. Of the shares of captures, and the rights of the crown. Various articles extracted from treaties of peace between Spain and other countries. Form of a letter of marque. Royal ordinance respecting cruizers against Turks, Moors and other enemies of the Spanish crown.

TARGA (Don Carlos), REFLEXIONES SOBRE LOS CONTRATOS MARITIMOS, sacadas del Derecho Civil y Canonico, del Consulado del Mar, y de los Usos Maritimos, con las Formulas de los tales Contratos. Sm. 4to. Madrid, 1753.

A Treatise on Maritime Contracts, by Targa, a lawyer of Genoa ; translated into Spanish from the original Italian. Forms of contracts, &c. are scattered throughout the book, suited to the chapters.

The work is divided into 102 chapters, and is expressed in the title page to be taken from the civil and canon law, the book called the "Consulado del Mar," and maritime usages or customs.

Chap. 1. Of maritime commerce or traffic in general ; 2. The dominion of the sea ; 3. Of rivers, their soil, and banks or shores ; 4. Of fisheries and fishing ; 5. Of the use and necessity of navigation ; 6. The building of the ship ; 7. The additions made to it ; 8. Of careening and mending the ship ; 9. The declaration or public announcement of the owners of the ship ; 10. Of the agents [encomenderos] and government of the ship ; 11. Of the ship's officers in general, and their election ; 12. Of the captain ; 13. Of the master ; 14. Of the writer or clerk, and his duty ; 15. Of the pilot ; 16. Of the other duties to be performed in the ship, by the master of the rigging and cordage, the cockswain, the stower, the corporal of the watch [cabo de guadia], the seamen who work at the top masts, the seamen stationed at the prow, the caulkers, the gunners and helmsmen ; 18. Of the means of obviating the dangers of navigation ; 19. Of maritime contracts ; 20. Of two or more obligees to one or more persons ; 21. Of guarantees ; 22. Of the contract for purchase and sale of a ship ; 23. Of the contract for hire of a ship ; 24. Of partnerships in maritime affairs ; 25, 26. Of contracts for freights ; 27, 28. Of the stowage of merchandize ; 29. Of the necessity

of merchandizes being inserted in the writer's book ; 30, 31. Of bills of lading ; 32, 33. Of bottomry, &c. ; 34, 35. Of commissions ; 36, 37. Of contracts or agreements to go halves or share alike ; 38. Of the detention of the ship in port ; 39. Of the protest ; 40. Of the super-cargo ; 41. Of cargoes of wheat by heaps or without measurement ; 42. Of cargoes of other things without measurement ; 43. Of cargoes of wood and other things by number, &c. ; 44. Of the provisions necessary for the voyage ; 45. Of obstacles to the sailing of the vessel ; 46. Of the capture of the ship ; 47. Of merchandize found in the sea ; 48. Of convoy ; 49. Of the relative duties between the captain, the merchants and the passengers ; 50. Of contracts made at sea ; 51, 52. Of insurances ; 53—61. Of the dangers vessels incur,—throwing overboard,—shipwrecks,—pirates ; 72, 73. Of privateers, letters of marque and passports ; 74. Of fights with the enemy, or pirates ; 75. Of the casual burning of the ship ; 76. Of the armament of the prince ; 77. Of reprisals ; 78. Of mutiny ; 79, 80. Of mishaps through the forced abandonment of the ship, or through unskilfulness in navigating her ; 80. Of smuggling ; 81. Of the manifesto of the merchandizes at the custom-house ; 82. Of the port dues, &c. ; 83. Of barratry ; 84. Of the declaration before the consul ; 85. Of the determination of the captain and crew to lighten the ship ; 86. Of the arrest of the ship for debt ; 87. Of the ship anchoring in port ; 88. Of the unloading and delivery of the cargo ; 89. Of creditors in respect of the merchandize, &c. when unladen ; 82. Of sums advanced for the purchase, repairs, &c. or voyage of the ship ; 83. Of the sums advanced [*privilegio*] for the freight, and the restitution of the cargo ; 84. Of collecting the freight ; 85. Of the pay of the sailors ; 86. As to the pay of the crew, when the vessel, crew and journal are lost ; 87. Of the sale of the merchandize ; 88. Of the office of broker ; 89. How ships, or shares of them, are put up to sale ; 90. Of the rigging and tackle of the ship ; 91. Of the safe conduct, passport and permit ; 92. Of falling into slavery ; 93. Of the usufruct of the ship ; 96. Of consuls at sea ports ; 97—99. Of civil proceedings in maritime matters, appeals and execution of sentences ; 100. Of criminal trials ; 101. Of maritime usages and customs in general ; 102. Of the perfect attorney or proctor. An index.

MESA (El Dr. Thomas Manuel Fernandez de), *TRATADO LEGAL Y POLITICO DE CAMINOS PUBLICOS Y POSSADAS*, dividido en dos partes : la una en que se habla de los Caminos, y la otra de las Possadas asi y como anexo de los Correos y Postas, asi publicas como privadas, donde se incluye el Reglamento de aquellas expedido el 23 de Abril de 1720. Sm. 4to. Valencia, 1755.

A Treatise on Public Roads and Inns, in 2 Parts.

Part I. Of Public Roads.—Chap. 1. Of the etymology, &c. of roads ; 2. Of the government protection of roads ; 3. Of the right of property, or the ownership of them ; 4. Of their jurisdiction ; 5. Of the use of roads ; 6, 7, 8, 9, 10, 11. As to contributions and materials for their construction ; 12,

13. Of the construction of the Roman roads ; 13. Of the formation of other roads more common ; 15. Of the width of roads ; 16. Of the position [positura] of roads ; 17, 18. Of the utility and practice of making roads straight ; 19. Of other conveniences and ornaments of roads ; 20, 21. Of the cleansing, conservation and keeping, that is, guarding of roads.

Part II. Of Inns.—Chap. 1. Of the etymology, &c. of inns ; 2, 3, 4. Of inns, innkeepers and their servants ; 5, 6. Of the care innkeepers ought to take of their guests ; 7. Of the use of inns ; 8. Of the distance and site of inns ; 9, 10. Of the building and laying out of inns ; 11, 12. Of the origin and convenience of posts, &c. ; 13. Various matters connected with posting, itineraries, &c. ; an index, two curious plates, one of a road, the other of an inn.

GOMEZII (D. ANTONII), in Academia Salmanticensi Juris Civilis primarii Professoris, *VARIÆ RESOLUTIONES JURIS CIVILIS, COMMUNIS ET REGII*. 3 tom. in 2. Fol. Lyons, 1761.

A new edition of Gomez's Solutions of Questions on Civil, Common and Criminal Law, with the Commentaries of Soarez à Ribeira, and Notes and Additions by Aylon Leynez.

Tom. 1. (Of wills,) is divided into 12 chapters, which treat of intestacies, successions, various kinds of substitutions, descents, legacies, &c.

Tom. 2, (Of contracts, &c.,) has 15 chapters, which treat of persons able to contract—sales and purchases—leasing and hiring—partnerships—verbal contracts—trusts, &c.—servitudes.

Tom. 3, (Of crimes,) has 14 chapters, which treat of the various crimes, as treason, murder, violence, robbery, &c. ; the privileges of criminals ; the accusation, trial, torture, and confiscation of the property of criminals.

Each chapter has prefixed to it a list of the questions answered in such chapter. An index to the three tomes.

GOMEZ, *AD LEGES TAURI COMMENTARIUM ABSOLUTISSIMUM*. Fol. Lyons, 1761.

A new edition of Gomez's Latin Commentary on the Laws of Toro, the text of which is given in Spanish, with a translation in Latin. An index.

TRATADO DE LA REGALIA DE AMORTIZACION, en el qual se demuestra por la serie de las varias edades, desde el nacimiento de la Iglesia en todos los Siglos y Países Católicos, el uso constante de la autoridad civil, para impedir las ilimitadas enagenaciones de bienes raíces en Iglesias, Comunidades, y otras manos-muertas ; con una noticia de las leyes fundamentales de la monarquía Es-

pañola sobre este punto, que empieza con los Godos, y se continua en los varios Estados sucesivos, con applicacion à la exigencia actual del reyno despues de su reunion, y al beneficio comun de los vasallos. Escribióle DON PEDRO RODRIGUEZ CAMPOMANES, del Consejo de S. M. &c. Impreso en Madrid año de 1765. 4to. Gerona, 1821.

A Treatise on the Regalia of Mortmain in Spain, as applied to Churches, Corporations, &c., by Campomanes. The first edition of this valuable work was printed in 1765. Count Campomanes was born in the principality of the Asturias in 1723, and died about 1803. He is author of a History of the Templars. There is a short notice by the editor of this edition, and an eulogium of Campomanes. The work contains a dedication, a prologue, notes and an index; and is divided into 21 chapters.

Chap. 1 treats of the use of the civil authority in the transferring of real property to mortmain, during the first three epochs of the Church; 2. Of the same during the fourth epoch; 3. The laws of France on this subject; 4. The laws of England (when Catholic) as to limitations of mortmain acquisitions; 5—7. The laws of the States of Flanders and Burgundy, of Germany and Poland, on mortmains; 8—12. The statutes of Milan, and the laws of Venice, Savoy and Piedmont, Naples and Sicily, and of Genoa on the same subject; 13. The laws of Modena and Mirandola, to keep lands free from entails and primogeniture; 14. Ordinance of the republic of Lucca on acquisitions by ecclesiastical corporations; 15. Ordinance of Philip, the infante of Spain, for the States of Parma, Placentia and Guastalla, on mortmain; 16. Laws of Portugal, Catalonia, Rosellon, Cerdania, Majorca and Valencia, on the same subject; 18, 19. Ancient Spanish laws, forbidding certain acquisitions by churches, including laws by the Goths; 20. Whether the king ought to abolish mortmains; 21. Suggestions for the free circulation of landed property.

SUAREZ y Nuñez (D. Miguel Geronimo), TRATADO LEGAL THEORICO Y PRACTICO, &c. 2 vols. 8vo. Madrid, 1788.

A Treatise on Bills of Exchange.

The first volume contains 29 chapters:—treats of bills of exchange and their origin, which the author seems to think to be the beginning of the 13th century.

The second volume treats of the usages and customs in this matter observed in different commercial cities, foreign and Spanish, which he mentions in chapter 30. This volume also contains several ordinances of the kings of Spain on the subject: observations on the old and new style, showing in what countries each is observed; with a calendar of both styles: a royal decree creating five new consulates in Spain, namely, Seville, Malaga, Alicante, Santander, and Teneriffe [San Christoval]. The first volume contains forms of bills.

HISTORIA DEL LUXO, Y DE LAS LEYES Suntuarias DE ESPAÑA. Por DON JUAN SEMPERE y Guarinos, Abogado, &c. 2 vols. sm. 8vo. Madrid, 1788.

A History of the Luxury and the Sumptuary Laws of Spain, by Sempere. He is author of two other esteemed works, a History of the Laws of Spain and a History of Intails, &c. The present work contains a dedication, a prologue and notes throughout. It is divided into 2 parts, and subdivided into chapters.

Part 1, Chapter 1, treats of the customs or manners of the ancient Spaniards; 2, 3. Of the luxury and sumptuary laws of the Romans; 4. Of the luxury of the Spaniards in the times of the Goths; 5. Of the same, from the invasion of the Arabs or Moors till the 11th century; 6. Of the same, from the 11th century till the middle of the 13th; 7. Of the same, from the middle of the 13th century till the 16th. Of the progress of luxury in Aragon.

Part 2, Chapter 1. Of the luxury and sumptuary laws of Spain in the time of Ferdinand and Isabella; 2—9. Reigns of Charles V., Philip II., III. and IV., Charles II., Philip V., Ferdinand VI. and Charles III.; 10. Parallels between the luxury and manners of the present day and those of past ages; 11. Of morals with regard to luxury; 12. Of the proper policy in respect of the same. Indexes.

HISTORIA DE LOS VINCULOS Y MAYORAZGOS. Por D. JUAN SEMPERE y Guarinos, del Consejo de S. M., &c. 8vo. Madrid, 1805.

A History of Intails and Primogeniture, as existing in Spain, by Sempere. This valuable work contains a prologue, and notes throughout. It was completed, as the author says at the end, in 1803. It is divided into 31 chapters.

Chapter 1 treats of the original of rural propriety; 2. Of the ownership of property under the Gothic-Spanish monarchy; 3. Of inheritances and wills under the same monarchy; 4. Of the ownership of property under the Arabic-Spanish monarchy; 5. Of the same during the middle ages; 6. Of the various classes of propriety, royal lands, abbatial lands, and lands belonging to lords; 7, 8. Of other sorts of ownership of property formerly established in Spain—free and feudal property, of “prestamos,” “mandaciones” and “encomiendas,” of vassalage and homage; 9. Of the origin of intails of real property; church mortmains; 10, 11. Of the perpetuity of fiefs; 12. New legislation introduced by the “Partidas” and the “Ordenamiento” of Alcalá; increase of perpetual alienations of crown property; 13, 14. Remarks on the “Ordenamiento” of Alcalá, and the above alienations, by Campomanes and Vives, with their refutation; 15, 16. Prudent policy of Henry II.; restrictions on the perpetuity of fiefs, and the clamours of the nobility thereupon; 17. Creation and perpetuation of new civil offices; 18. Efforts of Ferdinand and Isabella to restrain the royal grants, &c.; 19. Origin and progress of primogeniture; 20. Laws of Toro; increase of intails and primogeniture; 21. Increased confusion in

Spanish jurisprudence, caused by the laws of Toro; 22. Petitions of the Cortes against ecclesiastical intails of real property; 23. 18th century; restoration of Spanish jurisprudence; methods used to restrain the same intails; 24. Reign of Charles IV.; 25. Royal decree on "mejoras" of intails; 26. Royal decree in the same year against new foundings of "mayorazgos cortos;" 27. Pragmatic, 1792, concerning inheritances of the religious or professed; 28. New lights on agrarian legislation, &c.; 29, 30. Projects for the sale of intailed property, and royal decrees to that effect; 31. Fresh stimulus for the sale of intailed property, &c. An index.

TAPIA (D. Eugenio de), TRATADO DE JURISPRUDENCIA MERCANTIL. Sm. 4to. Valencia, 1828.

A very useful Manual of Mercantile Law, by Tapia, an advocate. He was born at Avila about the year 1789. He compiled the works called "Novisimo Febrero" and "Elementos de Jurisprudencia mercantil."

The author divides his treatise into 13 chapters. At the end is an Appendix of Royal Edicts, &c. concerning maritime towns in Biscay, Valencia, Murcia and Catalonia; the last of which, dated 26th August, 1827, is very full.

Chapter 1 treats of merchants in general, and of the books they ought to keep; 2. Of commercial partnerships; 3. Of agents, &c.; 4. Of brokers; 5. Of mercantile contracts; 6. Of accounts; 7. Of bills of exchange, bonds, promissory notes, &c.; 8. Of freights; 9. Of damages to vessels; 10. Of insurances; 11. Of bottomry, &c.; 12. Of bankruptcy; 13. Of commercial tribunals, and the form of proceedings in commercial causes.

COLECCION GENERAL DE CARTAS, DICTAMENES, y otros Papeles de Derecho, dedicados al Sr. Dr. D. Francisco de Herboso y Figueróa, &c. Escribióles el Sr. Dr. D. PEDRO BRAVO DE LAGUNAS y Castilla, Ministro honorario del Supremo Consejo de las Indias, &c. Los da à luz D. PHELIPE DE COLMENARES FERNANDEZ de Cordova, Tesorero del Tribunal de la Santa Cruzada, &c. 8vo. Lima, 1761.

A Collection of Letters, &c. on points of Law, by Dr. Pedro Bravo de Lagunas, a Judge in the Supreme Court at Lima, in Spanish America, Professor of Law, &c.

It includes an argument in defence of the royal jurisdiction, in reply to a book called "Concordia de la Discordia:" this, on the contrary, is called "Discordia de la Concordia."

COVARRUBIAS (D. Joseph de), DISCURSO SOBRE EL ESTADO ACTUAL DE LA ABOGACIA DE LOS TRIBUNALES DE LA NACION. 18mo. Madrid, 1789.

A small Tract on the then actual state of the Bar in Spain : it is highly laudatory of the profession of advocates.

LARDIZABAL y Uribe (Don Manuel de), DISCURSO SOBRE LAS PENAS, contraido à las Leyes Criminales de España para facilitar su reforma. 18mo. Madrid, 1828. Second Edition.

This short Treatise on Pains and Penalties contains an introduction and five chapters, divided into articles and sections.

Chapter 1. The nature of punishments, their origin, &c. ; 2. The requisites and circumstances which ought to concur in punishments, to make them useful, &c. ; 3. The object and scope of punishments ; 4. The true measure and quantity of punishments, and of crimes ; 5. The various sorts of punishments, &c. ; the "lex talionis;" capital and corporal punishments ; fines ; torture.

CASTRO (D. J. Francisco de), DISCURSOS CRITICOS SOBRE LAS LEYES Y SUS INTERPRETES; en que se demuestra la incertidumbre de éstos y la necesidad de un nuevo y metódico Cuerpo de Derecho para la recta administracion de justicia. Second Edition. 2 vols. 8vo. Madrid, 1829.

This is a work on Jurisprudence in general ; the laws of Spain are treated on but incidentally.

The work is divided into 4 books, each containing several chapters or treatises. These books end at nearly the middle of the second volume, and the other part of it is taken up with a very elaborate treatise on primogeniture, including family entailments and copyholds [or "vectigal," or "emphyteusis," which was a letting of land on condition of planting it and paying a certain rent, and which was not to return to the lord but in default of payment ; it was not a lease, but a perpetuity]. This article is the most important in the whole work.

Analysis.

The First Book treats of jurisprudence, and of the Roman and canon laws ; and contains a compendious history of Spanish law.

The Second Book contains observations on the foregoing articles, and on customary laws ; this last is a laboured treatise.

The Third Book contains observations on what is called the interpretation of the laws.

The Fourth Book contains a compendious history of law in general.

In the Treatise on Primogeniture are included many articles, such as feoffments in trust (which the author denominates the precursors of primogeniture); the origin and establishment of feuds (fiefs or fees of land); the rise of primogeniture in Spain; entails; that primogeniture is hurtful to commerce, to population, to agriculture, &c. &c.

It is a very meritorious production.

